

CITY OF SAN ANTONIO

Zoning Commission Agenda

Board Room
First Floor, Development Business Service Center
1901 S. Alamo

December 6, 2005
Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

Gilbert Kissling – District 1	James Gray – District Mayor
Jureta Marshall – District 2	Jody Sherrill – District 7
Joe Farias – District 3	Dr. Morris A. Stribling – District 8
Henry Avila – District 4	James McAden – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher R. Martinez – District 6	
Chairman	

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and other items for consideration on agenda for December 6, 2005, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. **ZONING CASE NUMBER Z2005247:** The request of Brown, P. C., Attorneys at Law, for Thomas Enterprises, Inc., Owner(s), for a change in zoning from "R-6" GC-1 Residential Single-Family Gateway Corridor District and "R-6 ERZD" GC-1 Residential Single-Family Edwards Recharge Zone Gateway Corridor District to "C-3" GC-1 General Commercial Gateway Corridor District on 7.10 acres and "C-3 ERZD" GC-1 General Commercial Edwards Recharge Zone Gateway Corridor District on 16.47 acres on 23.57 acres out of NCB 34760, 34761, and 14747. Abandoned Railroad Right-of-Way along IH-10 West Access Road, North of La Cantera and South of Camp Bullis Road. (Council District 8)
7. **ZONING CASE NUMBER Z2005260:** The request of Brown, P. C., Attorneys At Law, Applicant, for ITAMIC, Inc., Owner(s), for a change in zoning from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to PUD "RM-4" Planned Unit Development Residential Mixed District and PUD "RM-4 ERZD" Planned Unit Development Residential Mixed Edwards Recharge Zone District on 23.686 acres out of NCB 14861. 12161 Babcock Road. (Council District 8)

8. **ZONING CASE NUMBER Z2005235 CD:** The request of Brown, P.C., Applicant, for Presto Ltd., Owner(s), for a change in zoning from “FR” Farm and Ranch District and “RD” Rural Development District to “RD” (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and “RD” Rural Development on 455 acres out of CB 4298. Southwest corner of Watson Road and State Highway 16. (Council District 4)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
9. **ZONING CASE NUMBER Z2005261:** The request of Brown, P. C., Applicant, for Stanley and Ernestine Studer, Owner(s), for a change in zoning from “R-6” Residential Single Family District and “C-2” Commercial District to “MF-25” Multi Family District on 5.960 acres out of Block 2, NCB 14864, 10127 Huebner Road. (Council District 8)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
10. **ZONING CASE NUMBER Z2005263:** The request of Pinnacle Ranch, LTD., Applicant, for Pinnacle Ranch, Ltd., Owner(s), for a change in zoning from “I-1” General Industrial District and “R-4” Residential Single-Family District to “C-3” General Commercial District on 2.021 acres out of NCB 10594, 532 and 542 North W. W. White Rd. (Council District 2)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
11. **ZONING CASE NUMBER Z2005277 CD:** The request of Roy Horn, III, Applicant, for Harvey H. and Kathryn Hancock, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-6” (CD-Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices on Lot 14, Block 1, NCB 14701. 5979 Babcock Rd. (Council District 8)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005265:** The request of Michael D. McLean, Applicant, for Michael D. McLean, Owner(s), for a change in zoning from “MF-33” Multi-Family District to PUD “MF-33” Multi-Family Planned Unit Development District on 1.494 acres out of NCB 10946. 471 Utopia Lane. (Council District 3)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2005279:** The request of Billy A. Lawrence/Magnificent So Flo Seven Ltd., Applicant, for Billy A. Lawrence/Magnificent So Flo Seven Ltd., Owner(s), for a change in zoning from “I-1” General Industrial District and “I-2” Heavy Industrial District to “IDZ” Infill Development Zone District with uses permitted in “O-1” Office District, “C-2” Commercial District, and MF-33” Multi-Family District on South 116 feet of Lot A1 and A2, NCB 2569. 1512 South Flores Street. (Council District 5)

- A. Finding of consistency with Master Plan.
- B. Recommendation on zoning change request.

14. **ZONING CASE NUMBER Z2005268 S:** The request of Richard and Enucia S. Cruz, Applicant, for Richard and Enucia S. Cruz, Owner(s), for a change in zoning from “R-5” Residential Single Family District to “R-5 S” Residential Single Family District with a Special Use Permit for a Home Day Care on Lot 53, Block 19, NCB 16611. 5939 Catalina Sunrise. (Council District 2)

- A. Finding of consistency with Master Plan.
- B. Recommendation on zoning change request.

15. **ZONING CASE NUMBER Z2005276:** The request of Morano Family Investment Company, Inc., Applicant, for Frank Morano, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single Family District on 18.627 acres out of NCB 16001, “C-2” Commercial District on 2.776 acres out of NCB 16001 and “C-3” General Commercial District on 3.563 acres out of NCB 16001 on 24.966 acres out of NCB 16001. Ray Ellison Blvd. (Council District 4)

- A. Finding of consistency with Master Plan.
- B. Recommendation on zoning change request.

16. **ZONING CASE NUMBER Z2005278:** The request of Marissa Castro, Applicant, for Juan Castro, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “O-2” Office District on Lot 22, Block 3, NCB 9667. 2239 Basse Road. (Council District 1)

- A. Finding of consistency with Master Plan.
- B. Recommendation on zoning change request.

17. **ZONING CASE NUMBER Z2005262:** The request of Unitech Consulting Engineers, Inc., Applicant, for Henry Feldman, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on Lot 1 north irregular 417.22, Block 3, NCB 17456. 8300 IH-10 West. (Council District 8)

18. **ZONING CASE NUMBER Z2005266:** The request of Stagg Restaurants Partnership, Applicant, for Franchise Realty Interstate Corp., Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “C-3 R” Restrictive Commercial District on Lot 7, Block 1, NCB 10017 and Lots 31 through 33, Block C, NCB 8651. 402 Alta Sita Street. (Council District 5)

19. **ZONING CASE NUMBER Z2005269:** The request of Edgewood Independent School District, Applicant, for Edgewood Independent School District, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “O-2” Office District on Lots 38 and 39, NCB 8133. 900 South San Eduardo Avenue. (Council District 6)

20. **ZONING CASE NUMBER Z2005270:** The request of Sandra Gonzalez., Applicant, for Sandra Gonzalez, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “O-1” Office District on Lots 15 through 18, Block 1, NCB 2446. 2116 Guadalupe. (Council District 5)

21. **ZONING CASE NUMBER Z2005272:** The request of Robert Grant, Applicant, for Lakeside Properties, Ltd., Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on 0.439 acres out of NCB 17417. 8615 Marbach Rd. (Council District 6)
22. **ZONING CASE NUMBER Z2005274:** The request of Anna Hudley, Applicant, for NAC Venture Three, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on 1.278 acres out of NCB 16582. At the rear of 15715 Nacogdoches Road. (Council District 10)
23. **ZONING CASE NUMBER Z2005271:** The request of Johnny O’Neal, Applicant, for Johnny O’Neal, Owner(s), for a change in zoning from “O-2” Office District to “C-2 NA” Commercial District Non-Alcoholic Sales District on Parcel 60, NCB 17726. 16080 O’Conner Road. (Council District 10)
24. **ZONING CASE NUMBER Z2005275:** The request of Salah E. Diab, Applicant, for Hossab Balbissi, Owner(s), for a change in zoning from “C-2NA” Commercial Non-Alcoholic Sales District to “C-3NA” General Commercial Non-Alcoholic Sales District on 1.515 acres out of NCB 15363. 7801 Marbach Road. (Council District 6)
25. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
26. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

CASE NO: Z2005235 CD

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Zoning Commission continuance from October 18, 2005 and November 15, 2005

Council District: 4

Ferguson Map: 714 F3 & F4

Applicant Name:

Owner Name:

Brown, P. C.

Presto Tierra, Ltd.

Zoning Request: From "FR" Farm and Ranch District and "RD" Rural Development District to "RD" (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and "RD" Rural Development.

Property Location: 455 acres out of CB 4298

Southwest corner of Watson Road and State Highway 16

Proposal: To develop as a mixed-use, mixed-intensity project

Neigh. Assoc. None

Neigh. Plan The City South Community Plan

TIA Statement: Level-3 Traffic Impact Analysis has been submitted with recommendations for on-site and off-site improvements

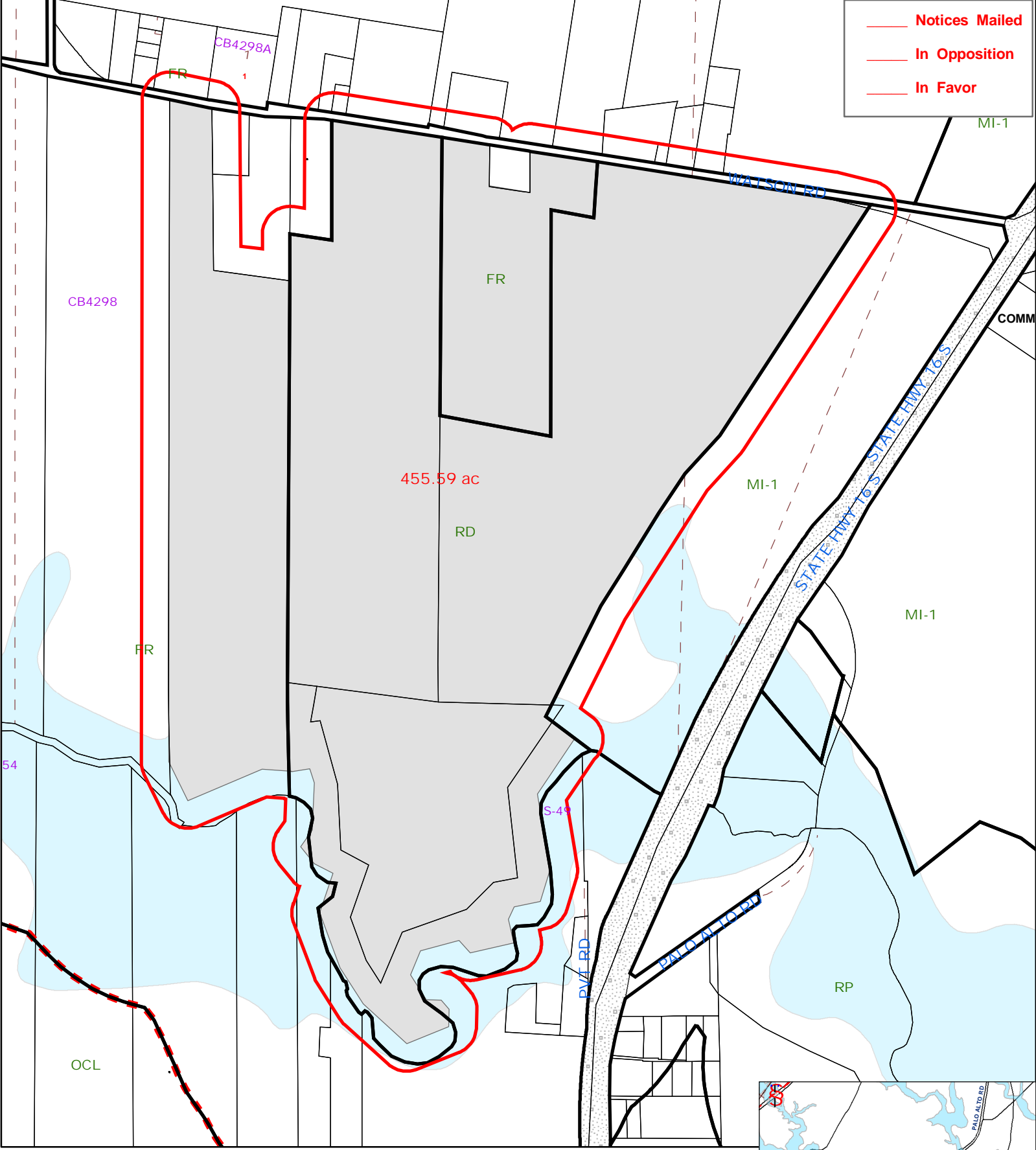
Staff Recommendation:

Inconsistent. The request does not conform to the land use plan of The City South Community Plan.

Approval pending plan amendment. Staff supports change from "FR" to "RD" (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and "RD" Rural Development. Flex Districts are the preferred zoning districts for the City South (Southside Initiative) Community Plan area. The proposed project can be accomplished using the Flex Development Plan provisions and conservation subdivision provisions of the existing "RD".

CASE MANAGER : Richard Ramirez 207-5018

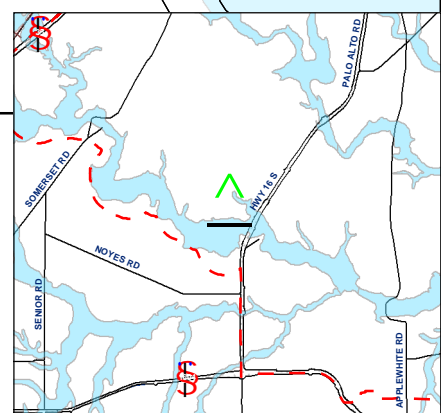
- Notices Mailed
- In Opposition
- In Favor



ZONING CASE: Z2005-235 CD
City Council District No. 4
Requested Zoning Change
From "FR", "RD" To "RD", "RD CD"
Date: December 6, 2005
Scale: 1" = 900'

- Subject Property
- 200' Notification

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CASE NO: Z2005247

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 8

Ferguson Map: 514

Applicant Name:

Brown, P. C. Attorneys at Law

Owner Name:

Thomas Enterprises, Inc.

Zoning Request: From "R-6" GC-1 Residential Single-Family Gateway Corridor District and "R-6 ERZD" GC-1 Residential Single-Family Edwards Recharge Zone Gateway Corridor District to "C-3" GC-1 General Commercial Gateway Corridor District on 16.47 acres and "C-3 ERZD" GC-1 General Commercial Edwards Recharge Zone Gateway Corridor District on 7.10 acres.

Property Location: 23.57 acres out of NCB 34760, 34761, and 14747

Abandoned Railroad Right of Way along IH 10 West Access Road, North of La Canterra and South of Camp Bullis Road

Proposal: To accommodate retail shopping center

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: Approved Level 3 Traffic Impact Analysis on file (2005 TIA 0301)

Staff Recommendation:

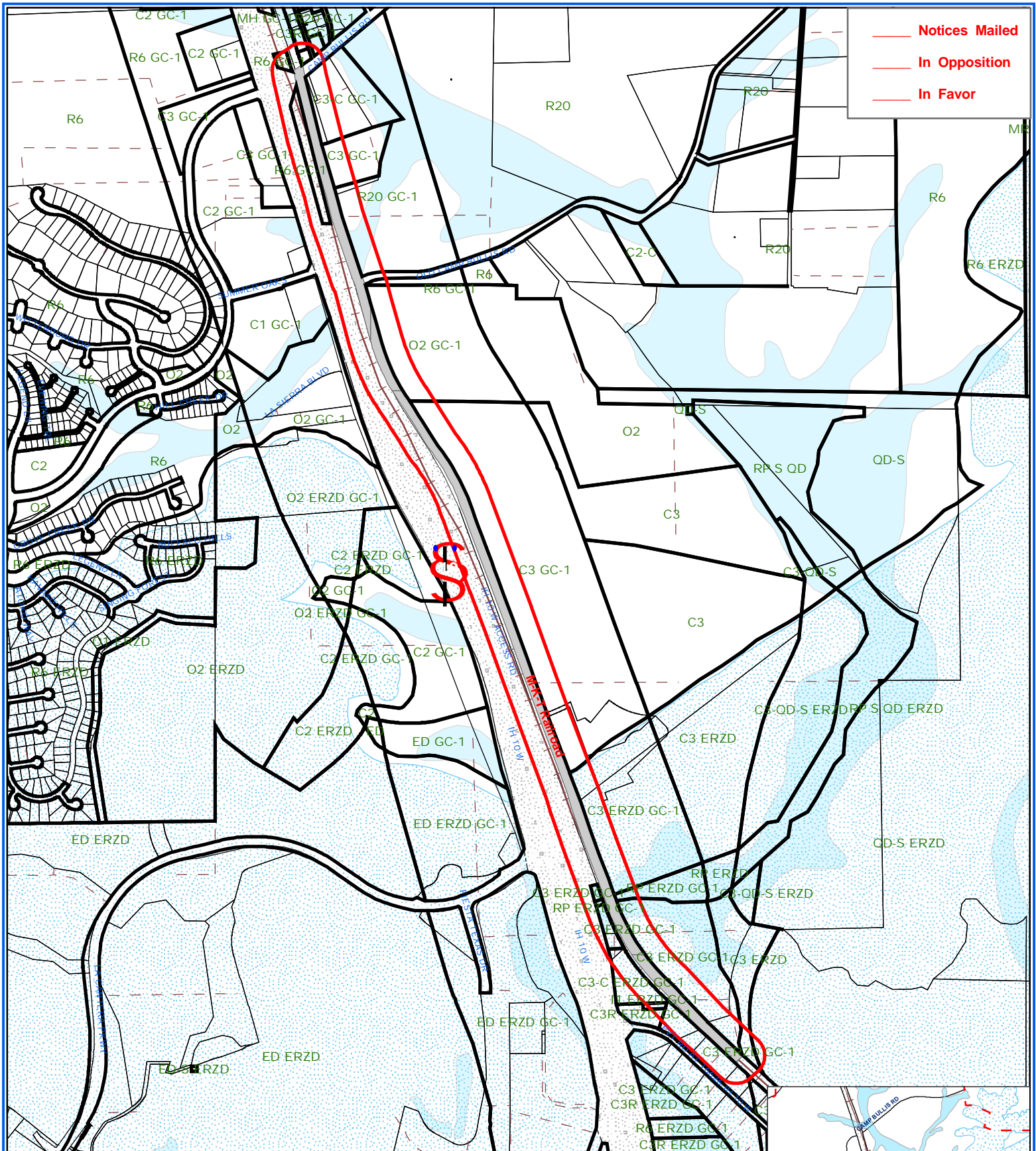
Approval

The subject property is the abandoned M-K-T Railroad right-of-way located along IH-10. The property is currently vacant and situated between the IH-10 Right of Way and the undeveloped Rim project. The zoning change from the residential district to a commercial district will permit the continuation of the commercial development to the east.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. A category determination has not been submitted. Until such time the property is classified as a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 65%.

CASE MANAGER : Robin Stover 207-7945



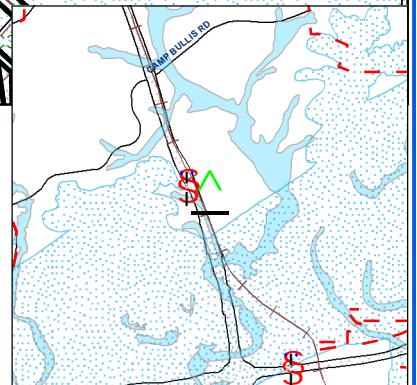
— Notices Mailed
 — In Opposition
 — In Favor

ZONING CASE: **Z2005-247**

City Council District No. 8
 Requested Zoning Change
 From "R-6" To "C-3", "C-3 ERZD"
 Date: December 06, 2005
 Scale: 1" = 200'

■ Subject Property
 ○ 200' Notification

Nov 1 2005



**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

DEV SERVICES

To: Zoning Commission Members

2005 NOV 22 P 4:11

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005247 (Rim Right-of-Way)

Date: December 6, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 23.57-acre tract located on the city's northwest side. A change in zoning from "R-6 ERZD" to "C-3 ERZD" and "C-3" is being requested by the applicant, Mr. Ken Brown. The change in zoning has been requested to allow a retail shopping center.

As of the date of this report, an official request for a category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information available, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, near the northeast corner of I.H. 10 and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from "R-6 ERZD" to "C-3 ERZD" and "C-3" and will allow for the construction of a retail shopping center. The site currently has a railroad track located on it that is in use. A dense mixture of native vegetation lines the railroad track. A portion of the overall project site (7.10 acres) lie within the Edward Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

The land use was used as a railroad right-of-way. Fiesta Texas Theme Park is located west of the property, across I.H. 10. A quarry is in operation to the east. Another quarry was in operation to the north. The property to the south is undeveloped.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

4. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on October 19, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no sensitive recharge feature. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. This could not be verified during the site investigation due to lack of outcropping of bedrock and coverage by fill material used for base of railroad tracks.

The Dolomitic Member is generally porous and relatively permeable, however permeable layers are generally restricted to solution – enlarged bedding planes. Is it generally 110 to 130 feet thick in full section. The project site was previously utilized as a railroad right-of-way. The site was over grown with vegetation and did not appear to have been inhabited at any time in the recent past. The historic railroad bed still exists with railroad ties and rails. According to FEMA Flood Insurance Maps, a portion of the subject site is located within the 100-year floodplain.

Leon Creek has been silted up due years of mining activities, therefore aquifer recharge is limited in this segment. A restoration plan to enhance the riparian corridor has been created for the Leon Creek along The Rim Project. This includes channel restoration by restoring existing vegetative areas, establishing native vegetation where vegetation has been removed, placing rip-rap to deter erosion, and to remove asphalt and concrete in and along the creek where it has been historically deposited.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. A portion of the property lies within the Leon Creek Floodplain, and there is potential increase of sediment load resulting from the additional runoff created by the development.

2. The creek way has been silted up in several areas due to the impact of mining activities.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover shall not exceed 65% on the site.
2. The applicant shall implement a restoration plan for this segment of Leon Creek.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.


6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.
7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

1. Development within the floodplain must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.

- B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
- 6. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
 - 7. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

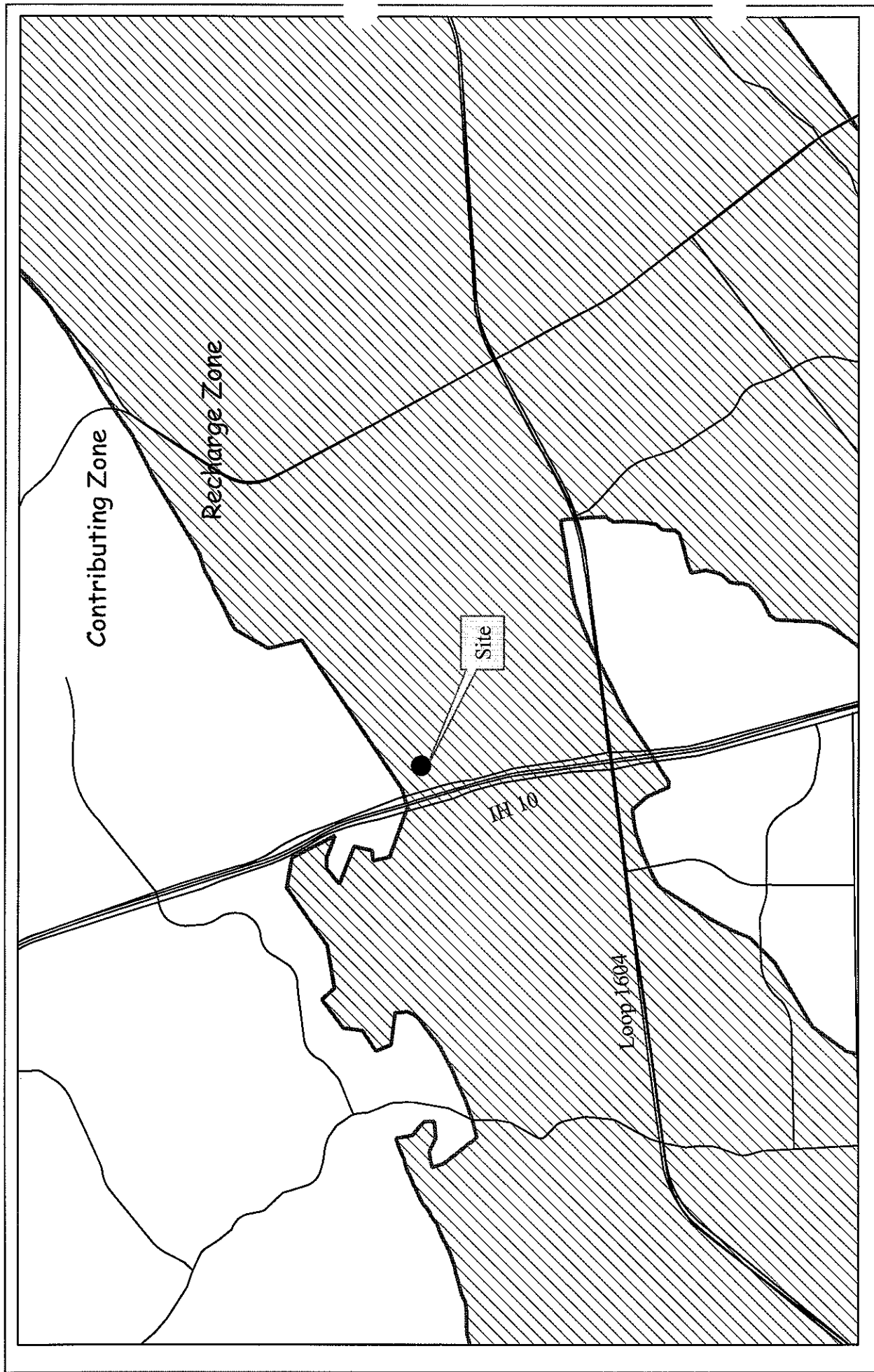
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.


for Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


for Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



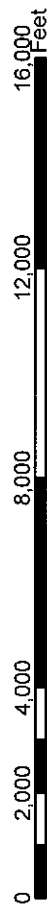
Zoning Case No. Z2005247 Figure 1

Rim Right-of -Way Retail Center

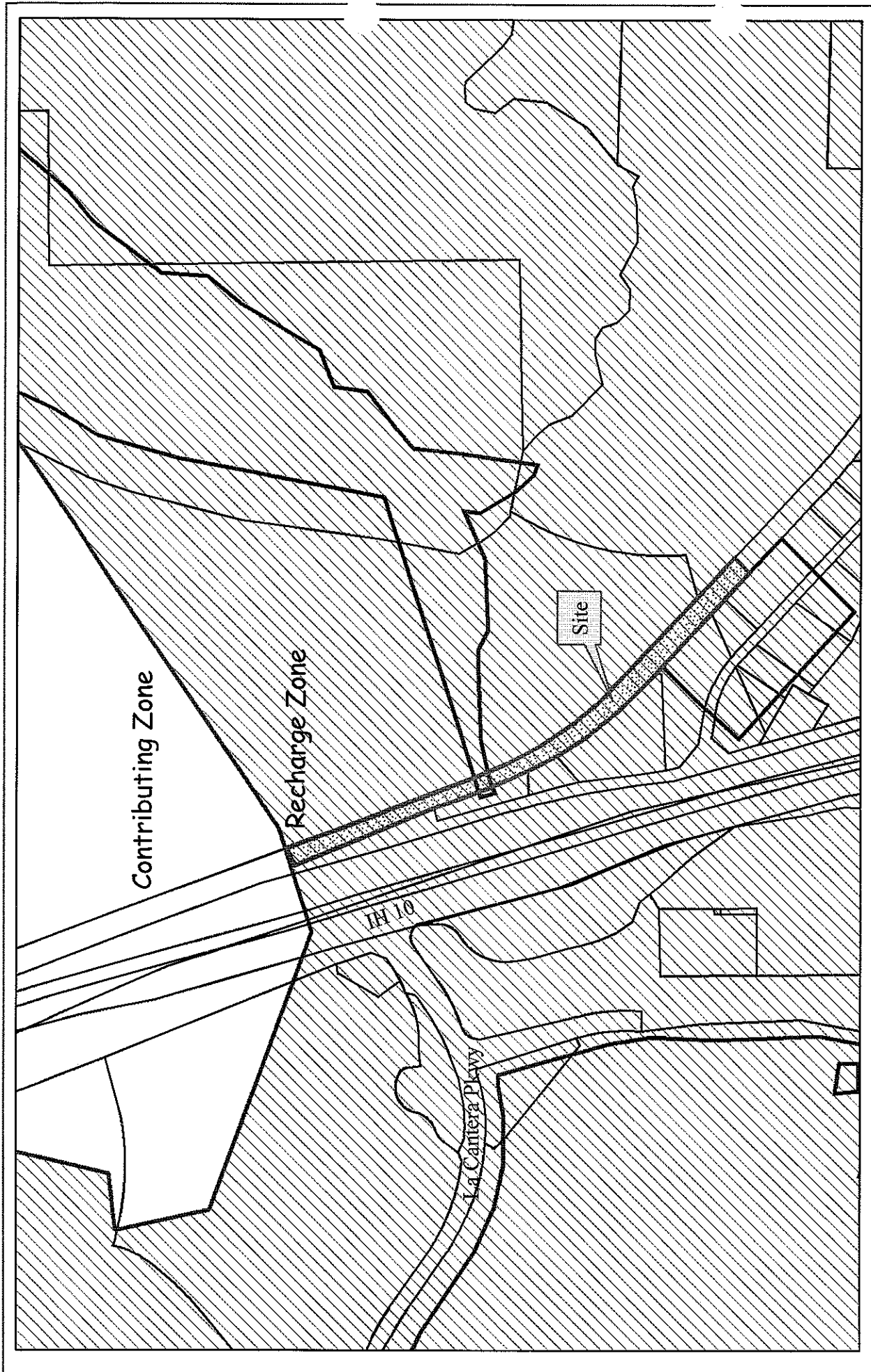
Map Page 483 B6

X=2095697 Y=13767116

Map Prepared by Aquifer Protection and Evaluation MJB 10/17/2005



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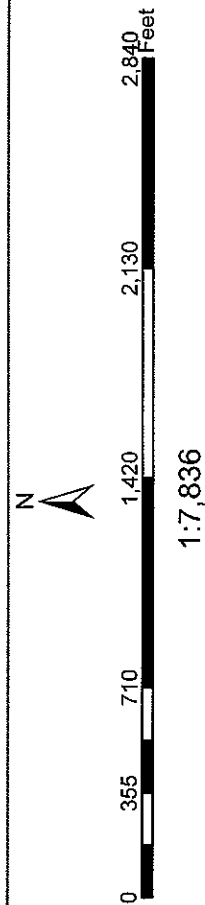
Zoning Case No. Z2005247 Figure 2

Rim Right-of-Way Retail Center

Map Page 483 B6

X=2095697 Y=13767116

Map Prepared by Aquifer Protection and Evaluation MJB 10/17/2005



CASE NO: Z2005260

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 8

Ferguson Map: 547 F-1

Applicant Name:

Brown, P. C. Attorneys at Law

Owner Name:

ITAMIC, Inc.

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to PUD "RM-4 ERZD" Planned Unit Development Residential Mixed Edwards Recharge Zone District.

Property Location: 23.686 acres out of NCB 14861

12161 Babcock Road

The Intersection of Babcock Road and Old Babcock Road

Proposal: To develop a planned unit family residential development

Neigh. Assoc. Babcock North Neighborhood Association (within 200 feet) and Oxbow Neighborhood Association (within 200 feet)

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required, but may be required at the building permit or plat stage.

Staff Recommendation:

Approval

The subject property is currently vacant and located at the intersection of Babcock Road and Old Babcock Road. The surrounding properties to the west, north, and east are undeveloped residential properties. The area to the south contains developed single-family and multi-family dwellings. The property to the west is located in the floodplain and serves as drainage.

The property was previously zoned Temporary "R-1" Single-Family Residential District and was rezoned to "B-2" Business District in January of 1975. The "B-2" Business District was later converted to "C-2" Commercial District when the 2001 Unified Development Code (UDC) was adopted.

The change in zoning from a commercial district to a residential district would be a down-zoning. The "RM-4" Residential Mixed District would be a compatible use with the surrounding land uses.

The property appears to be partially outside of the ERZD Edwards Recharge Zone District, however, SAWS has determined that the entire property is within the ERZD. They are able to make this determination based on 35-332 of the Unified Development Code (UDC).

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. The property is classified as a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 30%.

CASE MANAGER : Robin Stover 207-7945

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES

2005 NOV 22 P 4: 12

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005260 (Abdo-Babcock Tract)

Date: December 6, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 23.686-acre tract located on the city's northwest side. A change in zoning from **C-2 ERZD** to **RM-4 PUD ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a single-family residential development. The property is classified as Category 2 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, on Babcock Road, west of De Zavala Road.

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to RM-4 PUD ERZD and will allow for the construction of a single-family residential development. The site is an undeveloped site that is covered in a dense mixture of native vegetation. There are numerous small building footprints where structures once stood, one abandoned barn, and an abandoned water storage tank. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

An undeveloped lot is east and north of the property. Babcock Road and Leon Creek bound the western boundary. Babcock Road and a residential development is south of the property.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted a field observation on November 3, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no sensitive recharge features on the site. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Undivided Upper Confining Unit of the Edwards Aquifer. Some *Ilymatogyra Arietina* (fossils) were present in creek beds, indicating the presence of Del Rio Clay upstream. In addition, some outcropping of Del Rio Clay was found just off the project site. The Del Rio Clay is one of the members of the Upper Confining Units and is 40 to 50 feet thick in full section. No Edwards outcropping was found on the site. Leon Creek is adjacent and on the western portion of the property. Buffering will be required along the floodplain.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns:

1. One abandoned well is located on the site and there is potential for contamination of the Edwards Aquifer via the well.
2. There is a creek way adjacent to the western and northern boundary of the property where recharge may occur.

General Concerns:

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover shall not exceed 30% on the site.
2. A floodplain buffer shall be provided along the north and west portion of the property as required in Ordinance No. 81491, Section 34-913.
3. The abandoned well, along with any additional wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
4. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
5. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
6. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
7. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.


8. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3546 prior to any discharge of water.

- E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

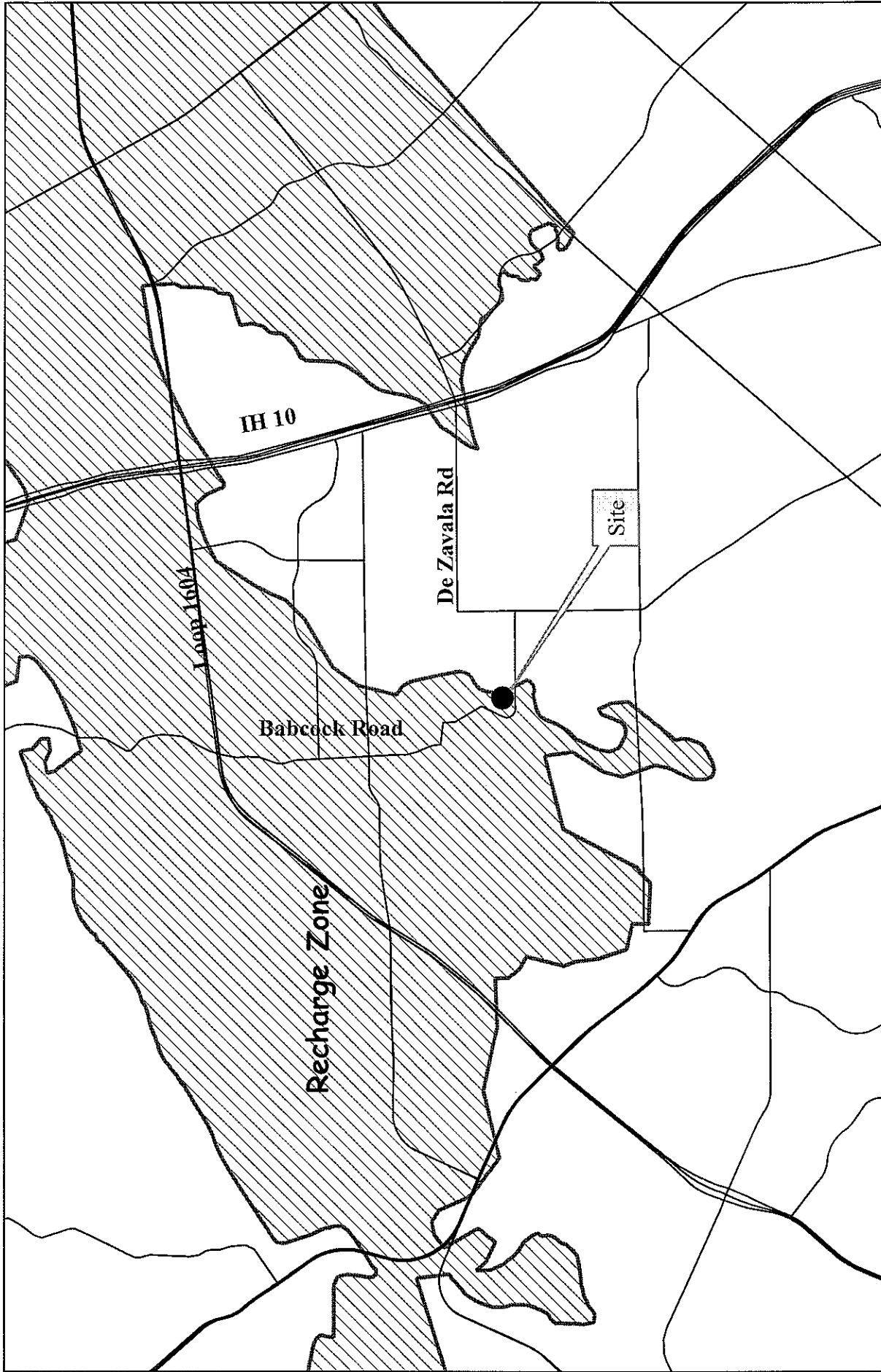
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

for 
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:

for 
Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



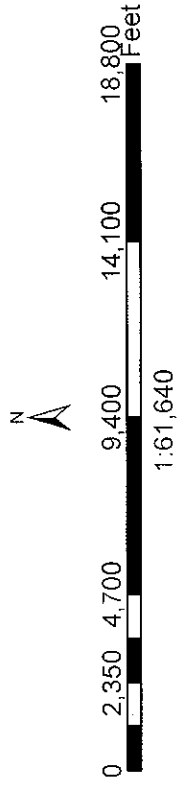
Zoning Case No. Z2005260 Figure 1

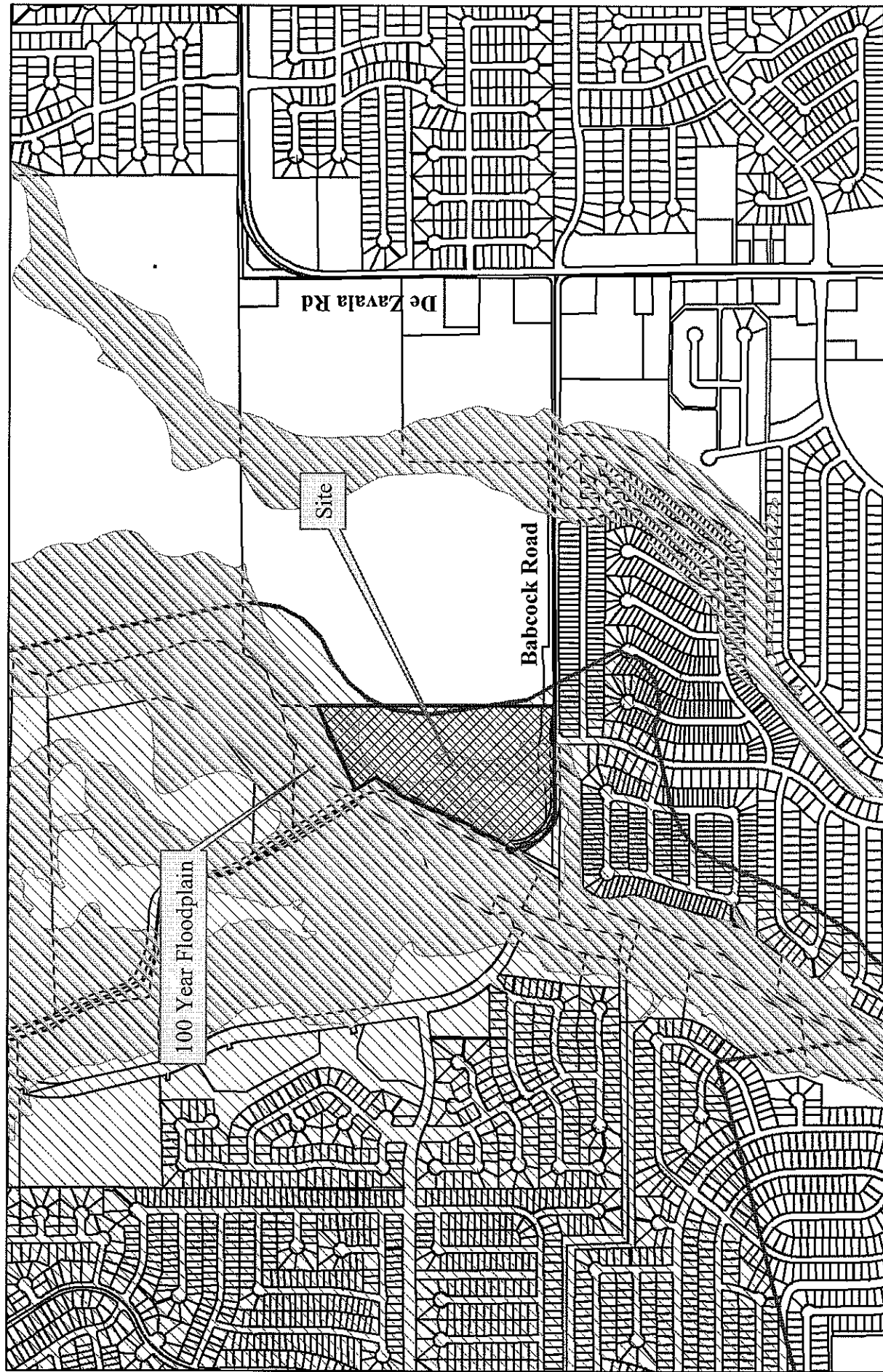
Abdo - Babcock Tract

Map Page 547 F1

X=2087667 Y=13751292

Map Prepared by Aquifer Protection and Evaluation MJB 11/3/2005





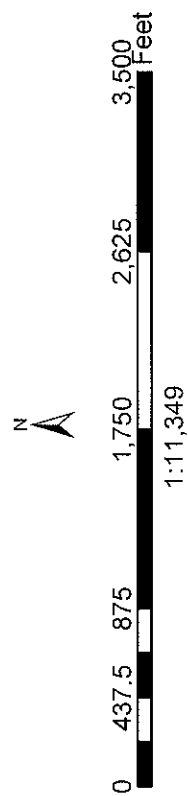
Zoning Case No. Z2005260 Figure 2

Abdo - Babcock Tract

Map Page 547 F1

X=2087667 Y=13751292

Map Prepared by Aquifer Protection and Evaluation MJB 11/3/2005



CASE NO: Z2005261

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Zoning Commission continuance from November 15, 2005

Council District: 8

Ferguson Map: 548

Applicant Name:

Owner Name:

Brown, P. C.

Stanley and Ernestine Studer

Zoning Request: From "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi Family District.

Property Location: 5.960 acres out of Block 2, NCB 14864

10127 Huebner Road

Northwest side Huebner Road

Proposal: Assisted Living Facility

Neigh. Assoc. Oakland Estates Neighborhood Association

Neigh. Plan Oakland Estates Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent.

The Oakland Estates Neighborhood Plan does not contain a land use plan, however, a consistency recommendation is still required.

The Neighborhood Plan textually notes that any rezoning for apartment uses should not be supported. Although a specific use for an assisted living or elderly housing facility may be considered an appropriate use of the property and neighborhood, the MF-25 zoning would not preclude the eventual use for an apartment use.

Approval

The subject property has an existing two story house and a two car garage with an attached apartment. The subject property is adjacent to "R-6" Residential Single-Family District to the southwest (vacant) and northeast (vacant) with "C-3" General Commercial District across Huebner Road to the southeast (Business Park). The "MF-25" Multi Family District for an Assisted Living Facility would be appropriate at this location. The subject property is near emergency facilities the South Texas Medical Center. Considering the location and acreage of the subject property, the Assisted Living Facility shall not adversely affect the surrounding neighborhood.

Multi-family Dwellings are a permitted use for any tract or parcel zoned "B-1", "B-2", or "B-2NA" prior to the adoption date of this Chapter. so long as such tract is not the subject of rezoning in accordance with the provisions of this Chapter and remain within the "C-1", "C-2", or "C-2NA" zoning districts.

CASE MANAGER : Pedro Vega 207-7980

13 Notices Mailed
0 In Opposition
5 In Favor

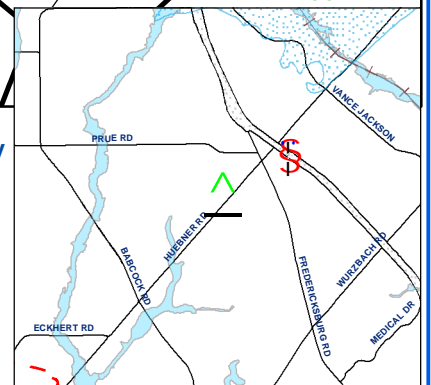


ZONING CASE: Z2005-261

City Council District No. 8
Requested Zoning Change
From "R-6" and "C-2" To "MF-25"
Date: December 6 , 2005
Scale: 1" = 200'

■ Subject Property
○ 200' Notification

M
Nov_1_2005



CASE NO: Z2005262

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 8

Ferguson Map: 549 C8

Applicant Name:

Unitech Consulting Engineers, Incorporated

Owner Name:

Henry Feldman

Zoning Request: From "C-2" Commercial District to "C-3" General Commercial District.

Property Location: 1.12 acres out of NCB 17456

8300 IH 10 West

North of the intersection of Horizonhill Boulevard and Midhorizon Drive

Proposal: To develop an hotel

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required, however, it may be required at the building permit or plat stage.

Staff Recommendation:

Denial of "C-3" and Approval of "C-2 S"

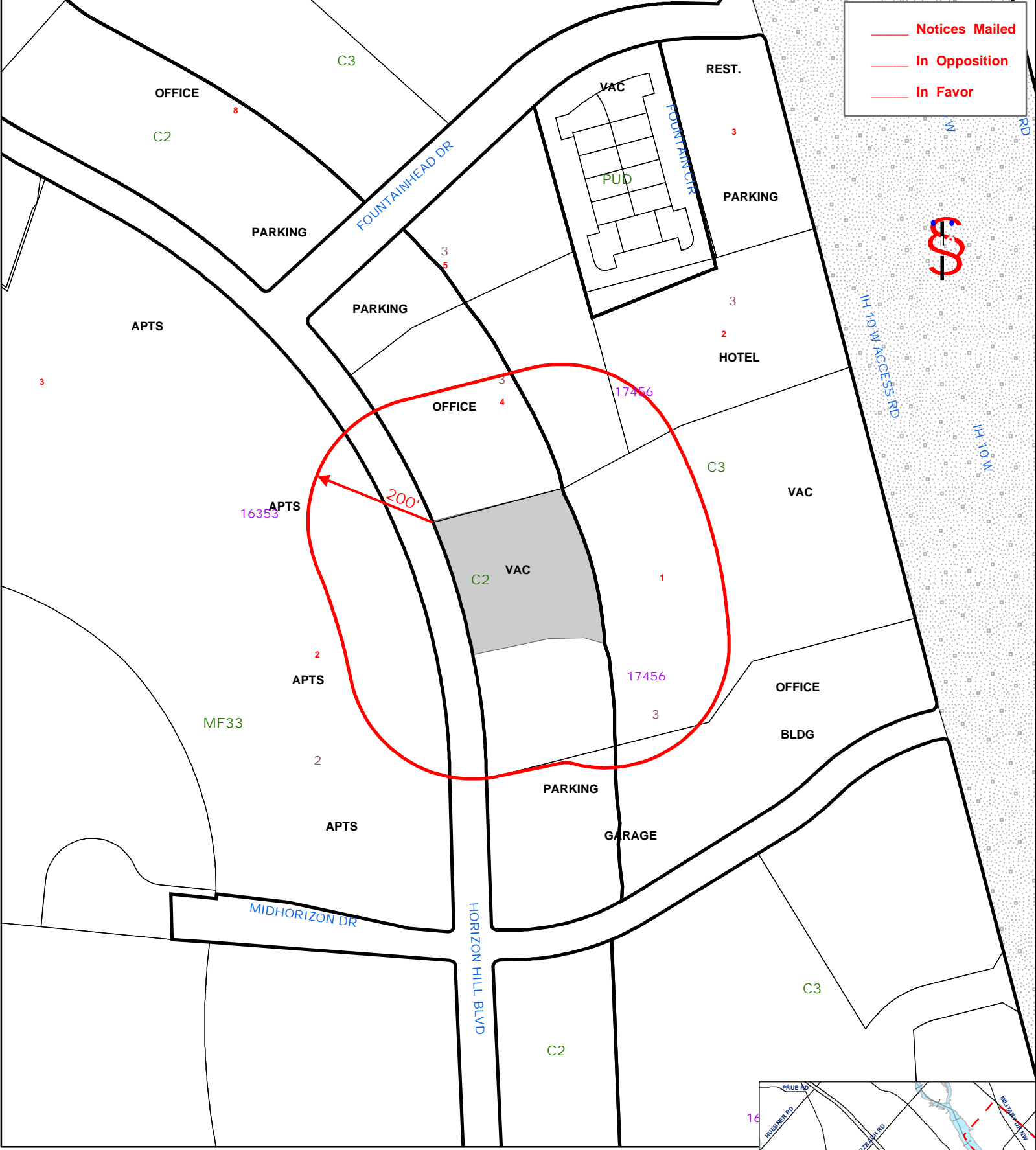
The subject property is currently vacant and located north of the intersection of Horizon Hill Boulevard and Midhorizon Drive. The properties to the north and south contain commercial developments. The properties to the west contain a multi-family development.

The property was previously zoned Temporary "R-1" Residential District and rezoned to "B-2" Business District in January of 1979. The zoning case created a transitional zone of a strip of "B-3" Business District, "B-2" Business District, "R-3" Multi-Family District, and then "R-1" Single-Family Residential District. These zoning districts were converted to the current districts with the adoption of the 2001 Unified Development Code (UDC).

The applicant is requesting a "C-3" General Commercial District in order to build a hotel. The existing zoning currently serves as a transition from the highway to the residential development. Changing this property to "C-3" would interrupt the transition. A "C-2 S" Commercial District with a Specific Use Permit for a hotel would be more appropriate at this location. Due to the existing nature of the land use, this development would be appropriate.

CASE MANAGER : Robin Stover 207-7945

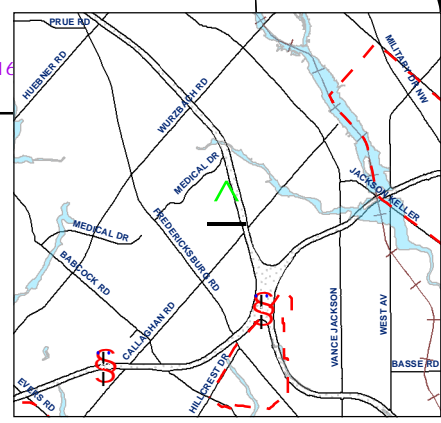
— Notices Mailed
— In Opposition
— In Favor



ZONING CASE: Z2005-262
 City Council District No. 8
 Requested Zoning Change
 From "C-2" To "C-3"
 Date: December 6, 2005
 Scale: 1" = 200'

Subject Property
○ 200' Notification

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CASE NO: Z2005263

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 2

Ferguson Map: 618 D2

Applicant Name:

Pinnacle Ranch, Ltd.

Owner Name:

Pinnacle Ranch, Ltd.

Zoning Request: From "I-1" General Industrial District and "R-4" Residential Single-Family District to "C-3" General Commercial District.

Property Location: 2.021 acres out of NCB 10594

532 and 542 North W. W. White Road

Lots 21 and 22 of NCB 10594 (542 North W. W. White Road); Lot D of NCB 10594 (532 North W. W. White Road)

Proposal: To allow a dance hall

Neigh. Assoc. None

Neigh. Plan Arena District/Eastside Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent

The request is consistent with the Arena District/Eastside Community Plan.

Approval

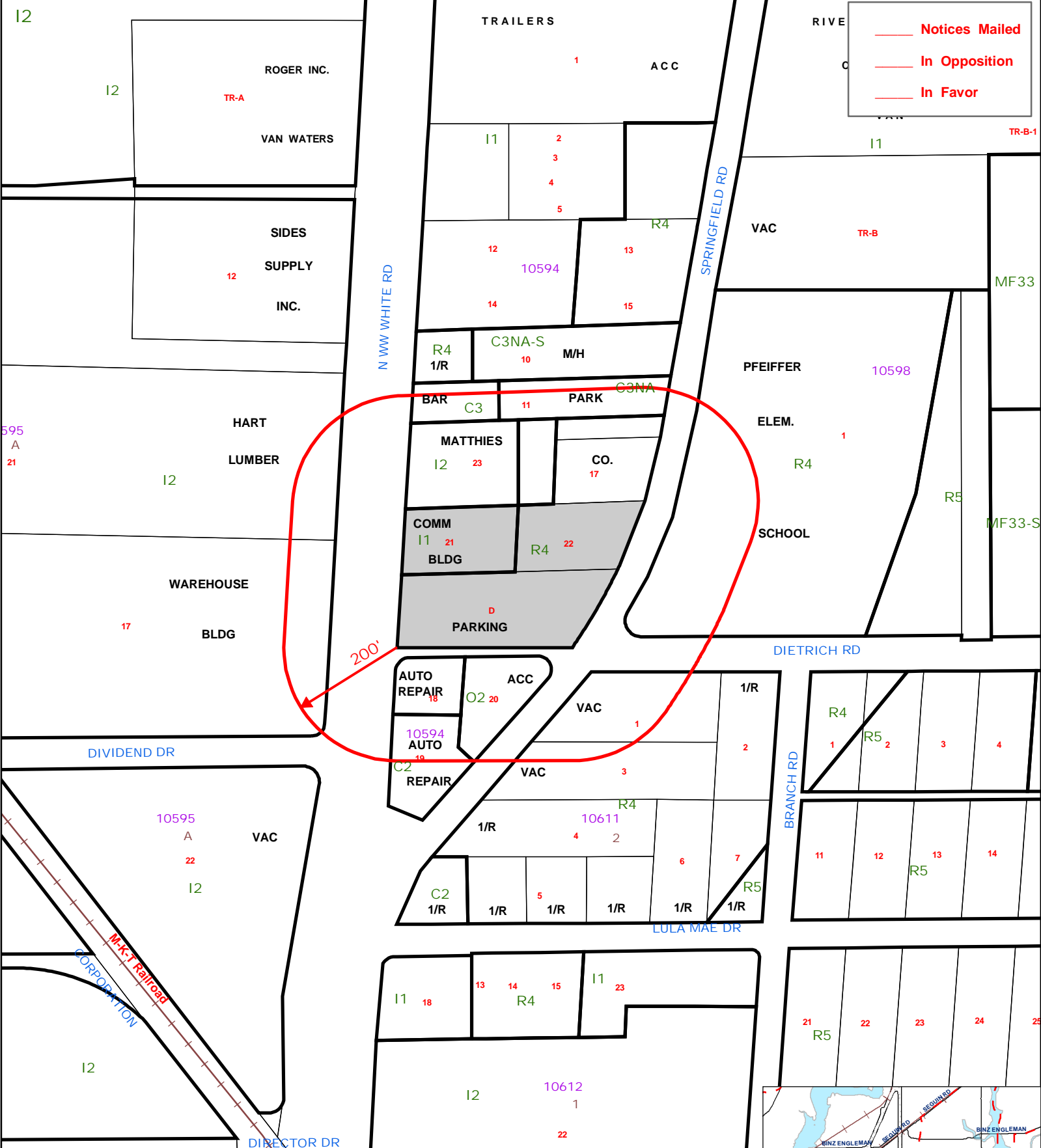
The proposed zoning is consistent with the goals, objectives and future land use identified in the Arena District/Eastside Community Plan. The proposed use is also compatible with the variety of commercial and light industrial uses along this portion of W. W. White Road.

The subject lots were originally zoned "B" under the provisions of the 1938 zoning ordinance. In 1961, Lot 21, which contains a building that dates to about 1962, was rezoned from "B" to "JJ," and this zoning district later converted to the "I-1" district under the 1965 zoning ordinance and remained "I-1" following the 2001 adoption of the Unified Development Code (UDC). For many years, this was for the site of a dance hall called "The Farmer's Daughter." A few years after the dance hall closed, a bar was established. The bar closed after about two years and the only current use is a contractor office in an area at the rear of the building. The remaining lots, which have not been used for residential purposes but instead for parking, converted from "B" to "R-7" in 1965 and later to "R-4" following the adoption of the 2001 UDC.

There are automobile repair shops to the south on parcels zoned "O-2" and "C-2" and multiple supply companies on parcels zoned "I-2" to the west. To the north is another supply company with "I-2" zoning and further north is a bar and a mobile home park on parcels zoned "C-3" and "C-3NA," respectively. To the east, across Springfield Road, is Pfeiffer Elementary School located on property zoned "R-4."

Lastly, if the requested "C-3" zoning is approved, a Type "C" landscape buffer would normally be required; however, as the property is already developed and shares a common property boundary with a property to the north that is zoned "R-4," but has a more intensive nonconforming industrial use, the buffer requirement should be waived.

CASE MANAGER : Matthew Taylor 207-5876



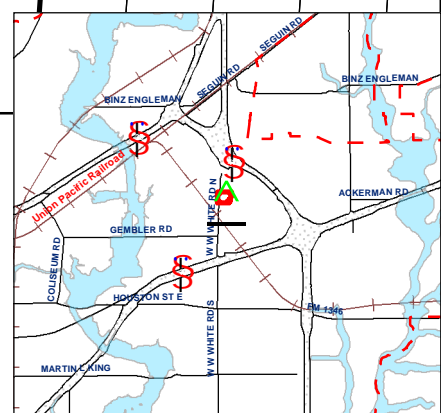
_____ Notices Mailed
 _____ In Opposition
 _____ In Favor

ZONING CASE: **Z2005-263**

City Council District No. 2
 Requested Zoning Change
 From "I-1 & R-4" To "C-3"
 Date: December 6, 2005
 Scale: 1" = 200'

[Gray Box] Subject Property
 [Red Circle] 200' Notification

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CASE NO: Z2005265

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 3

Ferguson Map: 651 F6

Applicant Name:

Michael D. McLean

Owner Name:

Michael D. McLean

Zoning Request: From "MF-33" Multi-Family District to PUD "MF-33" Multi-Family Planned Unit Development District.

Property Location: 1.494 acres out of NCB 10946

471 Utopia Lane

Proposal: To develop a Planned Unit Development

Neigh. Assoc. Highland Hills Neighborhood Association

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent

The proposed residential density and unit types are inconsistent with the South Central San Antonio Community Plan. A restriction of the housing types to single-family detached units with a maximum of number of 11 per acre would be consistent with the Plan.

Approval, with the condition that the development consists of single-family dwellings only and does not exceed 11 units per acre.

The subject property has had a residential zoning classification as early as 1960. The "B" zoning district was rezoned to the "D" multi-family district in 1964, later converting to "R-3" with the adoption of the 1965 zoning ordinance. After the adoption of the 2001 Unified Development Code, the zoning converted to the "MF-33" zoning district. The applicant is proposing a development consisting of about 15 lots with duplexes and access to the lots by a private street.

The plan designates the area for single-family residential uses while the proposal is for duplexes on 15 lots for a total of 30 residential units. A condition that limits the number of single-family units to 11 per acre, or 16 total, would be the equivalent of an "R-4" Single-Family Residential district and provide consistency with the plan's low density residential guideline. A PUD project consisting of multi-family units and/or more than 11 units per acre will require an amendment to the South Central San Antonio Community Plan. The applicant may construct a multi-family development up to 33 units per acre with the existing base zoning and without a plan amendment.

CASE MANAGER : Matthew Taylor 207-5876

CASE NO: Z2005266

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 5

Ferguson Map: 615 D4

Applicant Name:

Stagg Restaurants Partnership

Owner Name:

Franchise Realty Interstate Corporation

Zoning Request: From "R-4" Residential Single-Family District to "C-3 R" Restrictive Commercial District.

Property Location: Lot 7, Block 1, NCB 10017 and Lots 31 through 33, Block C, NCB 8651

402 Alta Sita Street

The Southwest Corner of Alta Sita Street and Panuco Street

Proposal: Parking lot for adjacent restaurant

Neigh. Assoc. Las Palmas Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial of "C-3 R" and Approval of "O-1" Office District

The subject property is currently operating as an overflow parking lot for the neighboring restaurant. The properties to the north are established commercial developments. The properties to the west, south and east are single-family residential homes.

The parking lot has been in operation for an extended period of time. The property was annexed in 1944 and was previously zoned "R-7" Small Lot Residential District and later converted "R-4" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC). The parking lot does not conform to the existing zoning district. The restaurant on the property to the north would not meet the parking standards without the use of the overflow parking lot.

The owner wishes to remodel the existing restaurant and parking facility. "C-3 R" Restrictive Commercial District would allow for too many intense uses close to existing residential development. "C-3 R" districts are designed for more intensive commercial uses located close to the intersections of major thoroughfares. The "O-1" Office District would be more appropriate at this location because the district is intended to serve as a buffer between residential areas and more intense uses. The "O-1" district does not permit a broad range of uses like the "C-3 R" district. Furthermore, there are strict guidelines concerning the potential development permitted in the "O-1" district.

CASE MANAGER : Robin Stover 207-7945

CASE NO: Z2005268 S

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 2

Ferguson Map: 585 C6

Applicant Name:

Richard and Enucia S. Cruz

Owner Name:

Richard and Enucia S. Cruz

Zoning Request: From "R-5" Residential Single Family District to "R-5 S" Residential Single Family District with a Specific Use Permit for a Home Day Care.

Property Location: Lot 53, Block 19, NCB 16611

5939 Catalina Sunrise

Proposal: To operate a child care for up to twelve children

Neigh. Assoc. Sunrise Neighborhood Coalition / Highland Farms Neighborhood Association is within 200 feet

Neigh. Plan IH 10 East Corridor Perimeter Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent

The proposal, an increase in the number of children at an existing residential day care from 6 to 12, is consistent with the IH 10 Corridor Plan.

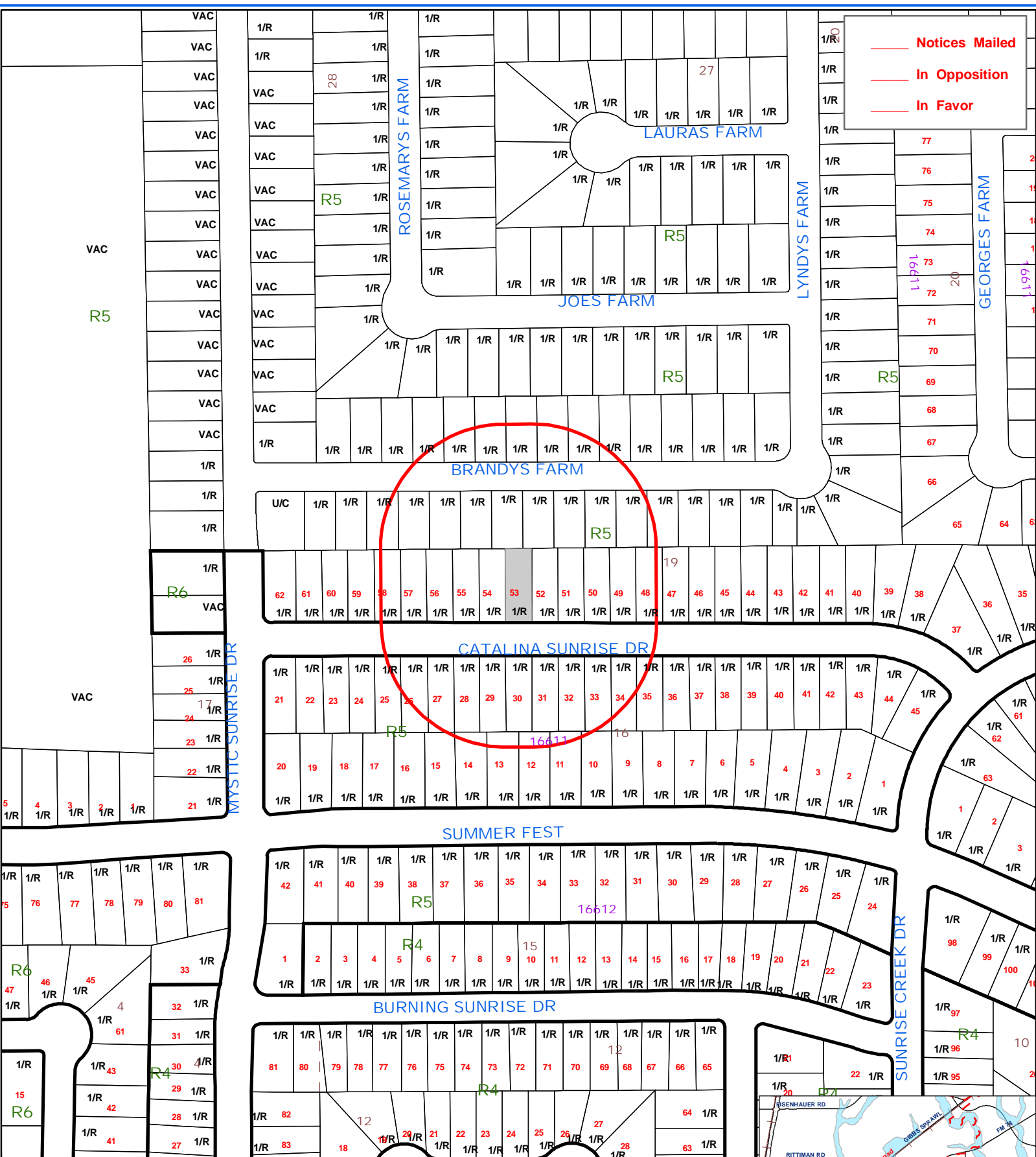
Approval, with a limit of 9 children.

The requested increase in the number of children at an existing residential day care is consistent with the IH 10 Corridor Plan. The potential traffic impact on the neighborhood normally associated with child care and day care uses will be mitigated by irregular pick up and drop off times. Additionally, some of the children coming to the residence live within walking distance, lessening the amount of potential vehicle traffic on Catalina Sunrise Drive. The applicant is agreeable to capping the number of children allowed by the specific use permit to 9 total.

The applicant has an existing day care facility at her residence. The Unified Development Code (UDC) allows child care operations in the "R-5" district by right provided the number of children does not exceed 6. Presumably, this would equate to two vehicle trips to the residence per day, per child. An increase in the number of children up to as many as 12 is permitted within the "R-5" with the approval of a Specific Use Permit. The applicant states that 3 of the 6 children she currently cares for are driven, while the other 3 walk accompanied to her residence. Although a Specific Use Permit would allow 6 additional children, the applicant is proposing an increase less than this, specifically in increase of 3. The difference in the total number of trips anticipated for 6 children and the number of trips anticipated for 9 is negligible given that some of the children will be brought to the residence on foot and not by vehicle.

The applicant has operated the day care out of her home for about 5 years and has obtained the necessary licensing for the operation. She has stated all licensing and insurance requirements have been kept current since the inception of the day care. Lastly, the health and safety of the children is substantially protected outside, as all outdoor areas accessible to the children are fenced and there is no swimming pool on the property.

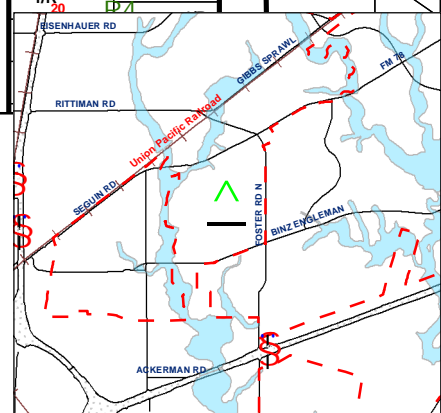
CASE MANAGER : Matthew Taylor 207-5876



ZONING CASE: **Z2005-268 S**

City Council District No. 2
Requested Zoning Change
From "R-5" To "R-5 S"
Date: December 6, 2005
Scale: 1" = 200'

Subject Property
 200' Notification



CASE NO: Z2005269

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 6

Ferguson Map: 615 C6

Applicant Name:

Edgewood Independent School District

Owner Name:

Edgewood Independent School District

Zoning Request: From "R-4" Residential Single-Family District to "O-2" Office District.

Property Location: Lots 38 and 39, NCB 8133

900 South San Eduardo Avenue

Approximately 400 feet north of the intersection of Castroville Road and South San Eduardo Avenue

Proposal: To lease space in the closed elementary school to local community-based organizations for office use

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Denial of "O-2" Office District and Approval of "O-1" S Office District with a Special Use Authorization for Professional Offices exceeding 10,000 square feet.

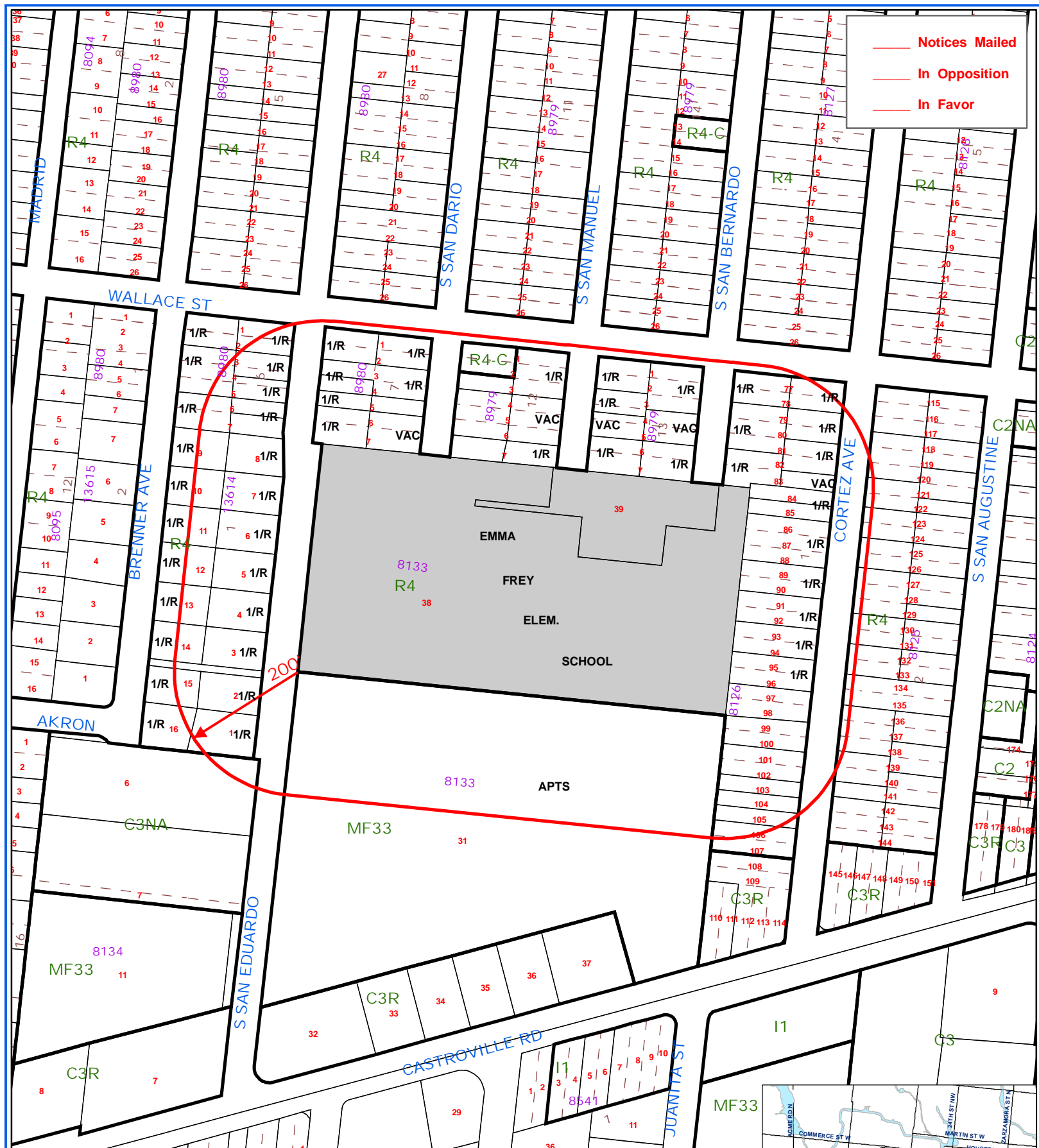
The subject property is the vacant Emma Frey Elementary School in the Edgewood Independent School District. Emma Frey Elementary School opened in September of 1950 and remained open until May of 2005. The property was originally zoned "R-7" under the provisions of the 1965 zoning ordinance. The "R-7" zoning district was later converted to the "R-4" Residential Single-Family district in 2001 as a result of the adoption of the Unified Development Code (UDC).

The Edgewood Independent School District proposes to maintain ownership of the subject property and convert the vacant structure into offices for local community-based agencies. The most appropriate zoning classification for this property, given the location of the subject property and its relation to adjacent residences, would be "O-1" Office District. However, the structure is 234,614 square feet. The "O-1" zone allows only up to 10,000 square feet. Thus, the applicant requested "O-2" Office District.

The "O-2" Office District, however, would not be an appropriate zoning classification at this location, which is in the middle of a residential neighborhood. The "O-2" district is best suited for high-rise office buildings with a wide variety of office and accessory retail uses that are designed to service on-site tenants and promote mixed uses and the capture of vehicular trips. Additionally, the applicant would have difficulty constructing the required "Type C" buffer given their close proximity to residences to the north.

Staff has suggested an alternate recommendation, to which the school district is agreeable. In December of 2005, City Council will consider amendments to the Unified Development Code. The applicable amendment will allow offices over 10,000 square feet in the "O-1" district with a special use authorization. This zoning classification would be ideal for the proposed use. Further, should the office use cease, "O-1" is an appropriate buffer to single and multi-family residential uses.

Though the school district agrees that the "O-1" S district is the most appropriate for their needs, they



ZONING CASE: Z2005-269

City Council District No. 6
Requested Zoning Change
From "R-4" To "O-2"

Date: December 6, 2005

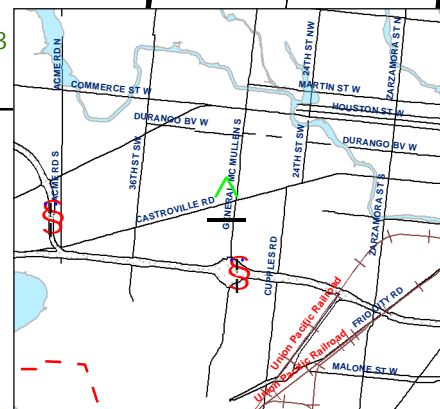
Scale: 1" = 200'

Subject Property

200' Notification

City of San Antonio
Office of the City Engineer
1000 N. Nueces Street
San Antonio, TX 78205
Phone: (210) 204-1234
Fax: (210) 204-1235
Email: ce@cityofsanantonio.com

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CASE NO: Z2005269

Final Staff Recommendation - Zoning Commission

requested that staff continue their rezoning case on the current schedule so as not to delay their potential tenants' relocation. The applicant is aware that at the time of the December 6, 2005 Zoning Commission, the "O-1" S will not have been approved by City Council, but their request will be revised automatically should the "O-1" S amendment be approved.

CASE MANAGER : Rudy Nino, Jr. 207-8389

CASE NO: Z2005270

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 5

Ferguson Map: 616 A6

Applicant Name:

Sandra Gonzalez

Owner Name:

Sandra Gonzalez

Zoning Request: From "R-4" Residential Single Family District to "O-1" Office District.

Property Location: Lots 15 through 18, Block 1, NCB 2446

2116 Guadalupe

South east of South Chupaderas and Guadalupe Street

Proposal: To be utilized for a parking lot

Neigh. Assoc. Avenida Guadalupe

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial of "O-1" and approval of "R-4" C (Conditional use for a Commercial Parking Lot). The requested rezoning is for properties that are contiguous to "C-2" zoning, which face Guadalupe Street. The intended use for the request is to construct a parking lot for a business. "C-2" zoning is to the north and "R-4" zoning surrounds the rest of the property. The parking lot will be accessed from Guadalupe Street.

Staff recommends the following conditions:

1. Lighting shall be directed away from adjacent properties using 90 degree cutoff fixtures
2. No ingress or egress to Montezuma.
3. Type "B" Landscape buffers shall be required on the sides abutting lots 14 and TRA .

CASE MANAGER : Richard Ramirez 207-5018

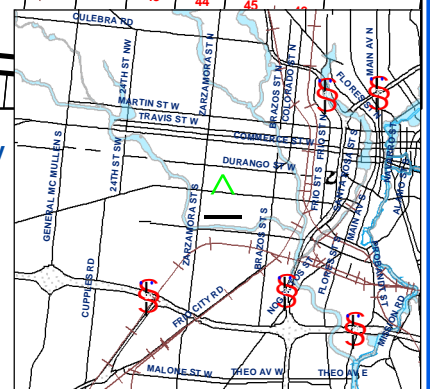


ZONING CASE: **Z2005-270**

City Council District No. 5
Requested Zoning Change
From "R-4" To "O-1"
Date: December 6, 2005
Scale: 1" = 200'

Subject Property
 200' Notification

Nov_1_2005



CASE NO: Z2005271

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 10

Ferguson Map: 518 D4

Applicant Name:

Johnny O'Neal

Owner Name:

Johnny O'Neal, Inc.

Zoning Request: From "O-2" Office District to "C-2 NA" Commercial District Nonalcoholic Sales District.

Property Location: Parcel 60, NCB 17726

16080 O'Connor Road

South corner of O'Connor Road and Corian Springs Drive

Proposal: Photo studios, offices and general storage and assembly of athletic trophies

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial of "C-2 NA" Commercial District Nonalcoholic Sales District and approval of "C-1" Commercial District.

The subject property is undeveloped and located on O'Connor Road a major thoroughfare. The subject property is adjacent to "R-6" Residential Single-Family District to the southwest and southeast (single-family dwellings) with "C-2" Commercial District across Corian Springs Drive to the northwest (Shell Food Mart). "C-2" Commercial Districts accommodate commercial and retail uses that are more intensive in character than "NC" Neighborhood Commercial and "C-1" Commercial uses. "C-2 NA" Commercial Nonalcoholic Sales District will permit the uses without the sale of alcoholic beverages. "C-1" Commercial uses are considered appropriate buffers between residential uses and "C-2" Commercial and "C-3" General Commercial Districts and uses.

The subject property was zoned "O-1" Office District in 1997 and later converted to "O-2" Office District in February of 2002 upon adoption of the current UDC.

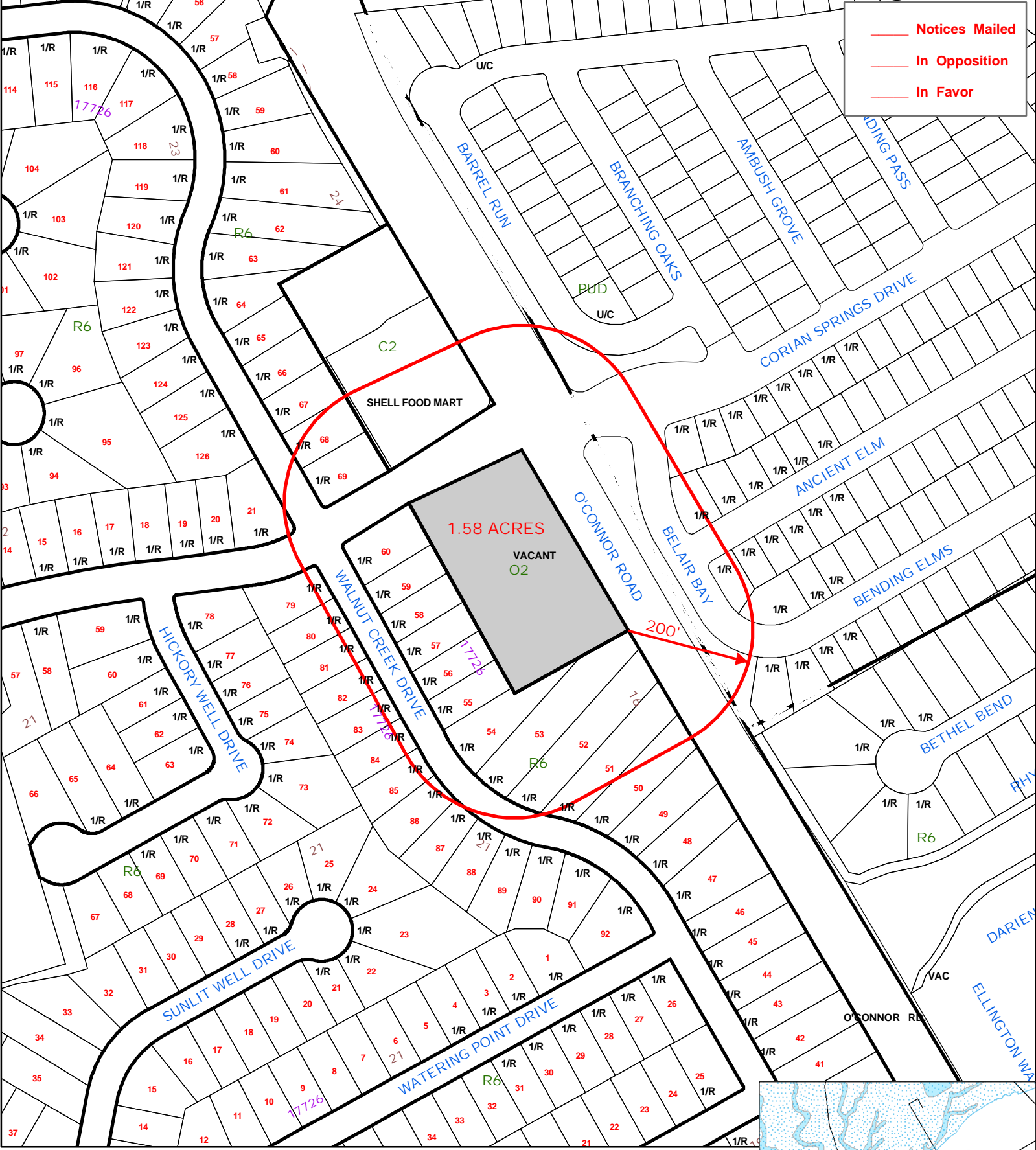
The following restrictions shall apply to the scale of buildings in "C-1".

Maximum individual building size 5,000 square feet.

Maximum aggregate building size 15,000 square feet.

CASE MANAGER : Pedro Vega 207-7980

— Notices Mailed
 — In Opposition
 — In Favor



ZONING CASE: **Z2005-271**

City Council District No. 10
 Requested Zoning Change
 From "O-2" To "C-2NA"

Date: December 6, 2005

Scale: 1" = 200'

■ Subject Property
 ○ 200' Notification

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CASE NO: Z2005272

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 6

Ferguson Map: 613 C6

Applicant Name:

Robert Grant

Owner Name:

Lakeside Properties, Ltd.

Zoning Request: From "R-6" Residential Single-Family District to "C-3" General Commercial District.

Property Location: 0.439 acres out of NCB 17417

8615 Marbach Road

The Intersection of Marbach Road and Cable Ranch Road

Proposal: For a retail shopping center

Neigh. Assoc. Rainbow Hills Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is currently vacant and located at the intersection of Marbach Road and Cable Ranch Road. The property to the west is undeveloped while the property to the north is an established shopping center. The properties located to the south are developed commercial uses.

The property was previously zoned Temporary "R-1" Residential District, which later converted to "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC). The shopping center to the north was rezoned to "B-2" Business District in 1992.

The change in zoning from a residential district to a commercial district would be appropriate at the location due to the surrounding land uses. The property is located along a commercial corridor, which follows this section of Marbach Road. Changing this zoning district to "C-3" would promote compatibility among the zoning districts.

CASE MANAGER : Robin Stover 207-7945

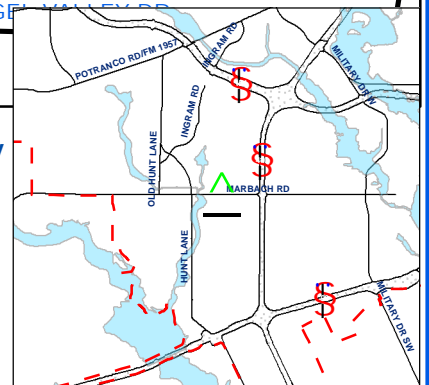


ZONING CASE: **Z2005-272**

City Council District No. 6
 Requested Zoning Change
 From "R-6" To "C-3"
 Date: December 6, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification

Nov 1 2005



CASE NO: Z2005274

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 10

Ferguson Map: 519 C5

Applicant Name:

Anna Hudley

Owner Name:

NAC Venture Three

Zoning Request: From "R-6" Residential Single-Family District to "C-2" Commercial District District.

Property Location: 1.278 acres out of NCB 16582

At the rear of 15715 Nacogdoches Road

West of the intersection of Nacogdoches Road and Fox Knoll

Proposal: To develop a medical treatment center

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial of "C-2" Commercial District and Approval of "O-1" Office District

The subject property is currently vacant and land locked between existing residential properties and vacant land. The property to the northeast and south are zoned "C-2" Commercial District and the property to the northwest is zoned "R-6" Residential Single-Family District.

The property was previously zoned Temporary "R-1" Residential District, which later converted to "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC). The property to the south was rezoned to "B-2" Business District in 1979.

"C-2" Commercial District is not appropriate at this location due to the location of the established residential properties to the north. "O-1" Office District would be more suitable because it is intended to protect the abutting and surrounding residential areas through setback requirements and building size limitations. The current "R-6" Residential Single-Family District serves as a buffer between the homes and the commercial uses to the south. The "O-1" district would encourage a transition between the commercial district and the residential district. The plan for the development is to locate on both the subject property and the vacant commercially zoned property to the south.

CASE MANAGER : Robin Stover 207-7945



ZONING CASE: Z2005-274

City Council District No. 10
Requested Zoning Change
From "R-6" To "C-2"

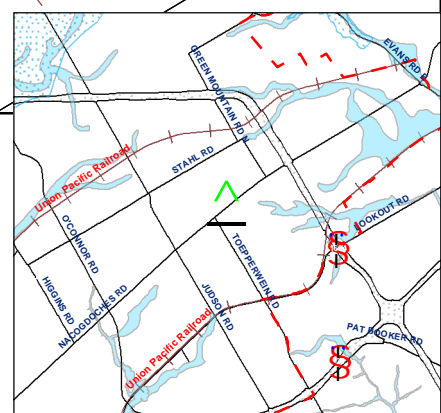
Date: December 6, 2005

Scale: 1" = 200'

-  Subject Property
-  200' Notification



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CASE NO: Z2005275

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 6

Ferguson Map: 613 D6

Applicant Name:

Salah E. Diab

Owner Name:

Hossab Balbissi

Zoning Request: From "C-2NA" Commercial Nonalcoholic Sales District to "C-3NA" General Commercial Nonalcoholic Sales District.

Property Location: 1.515 acres out of NCB 15363

7801 Marbach Road

Proposal: To establish a car wash and possible restaurant

Neigh. Assoc. Meadow Village Neighborhood Association / Lackland Terrace Neighborhood Association is within 200 feet

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial

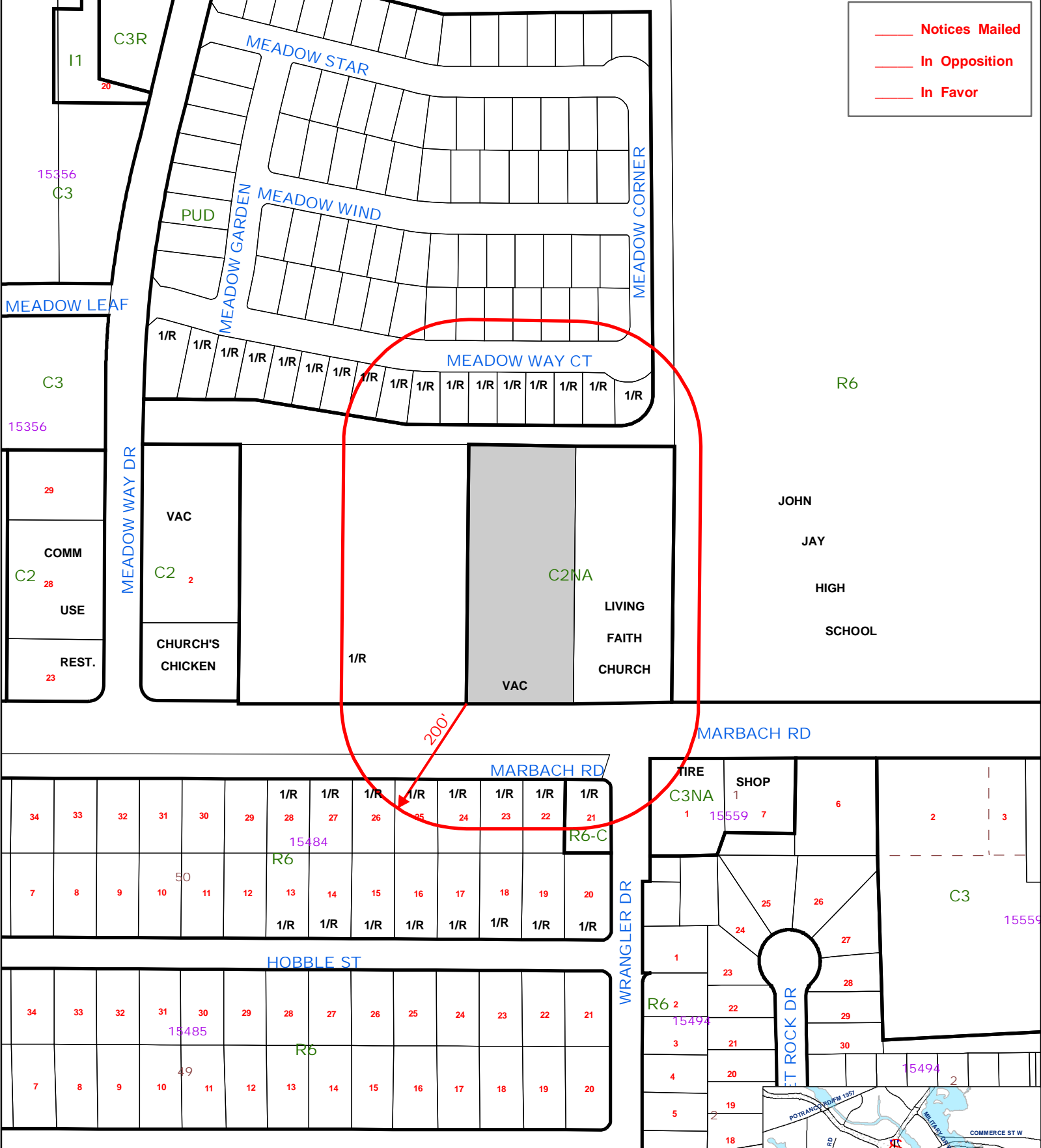
The requested zoning district, "C-3" is most appropriate near major intersections where multiple frontages allow greater flexibility with vehicular access and shared property boundaries are more likely to be with similar commercial and office uses. Smaller scale commercial uses are preferable in those locations that are away from intersections, that have a single street frontage and are in close proximity to residential uses. There is a single-family dwelling to the west zoned "R-6," a single-family residential subdivision to the north zoned PUD "R-6," a church to the east zoned "C-2NA," and a single-family residential subdivision across Marbach Road to the south zoned "R-6." The proposed "C-3NA" zoning is not appropriate for this location.

The subject property, along with the property immediately to the east, were zoned "B-2NA" from the Temporary "R-1" zoning in April and November of 1991, respectively. The "B-2NA" zoning was converted to "C-2NA" following the 2001 adoption of the Unified Development Code (UDC). The applicant may consider amending the request from "C-3NA" to a "C-2NA S" with a Specific Use Permit for a carwash. The approval of a Specific Use Permit for a car wash would allow a car wash and other uses permitted by right in the "C-2" district, including a restaurant, but would prohibit the more intensive uses permitted by right in the "C-3" zoning district. As the submittal of a site plan is required for specific use permit applications, staff would have an opportunity to evaluate the proposed use, site design and potential impacts on neighboring properties.

An approval of the requested "C-3NA" would require the installation of a Type "C" landscape buffer along the north and west property lines. However, the UDC allows the installation of a solid wall in lieu of the landscape buffer.

CASE MANAGER : Matthew Taylor 207.5876

_____ Notices Mailed
 _____ In Opposition
 _____ In Favor

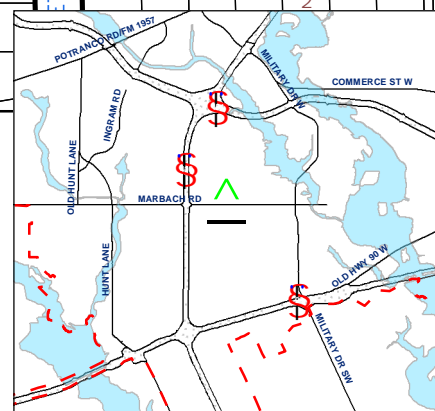


ZONING CASE: Z2005-275

City Council District No. 6
Requested Zoning Change
From "C-2NA" To "C-3NA"
Date: December 6, 2005
Scale: 1" = 200'

[Gray Box] Subject Property
 [Red Circle] 200' Notification

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CASE NO: Z2005276

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 4

Ferguson Map: 647 F6 & F7

Applicant Name:

Owner Name:

Morano Family Investment Company, Inc.

Frank Morano

Zoning Request: From "R-6" Residential Single-Family District to "R-5" Residential Single Family District on 18.627 acres out of NCB 16001, "C-2" Commercial District on 2.776 acres out of NCB 16001 and "C-3" General Commercial District on 3.563 acres out of NCB 16001.

Property Location: 24.966 acres out of NCB 16001

Ray Ellison Boulevard

Along northern R.O.W. of Ray Ellison Boulevard approximately 400 feet to the east of Loop 410

Proposal: Mini storage facility, commercial uses and single-family dwellings

Neigh. Assoc. People Active in Community Effort

Neigh. Plan United Southwest Communities Plan

TIA Statement: A Traffic Impact Analysis is not required, however, it may be required at the building permit or plat stage.

Staff Recommendation:

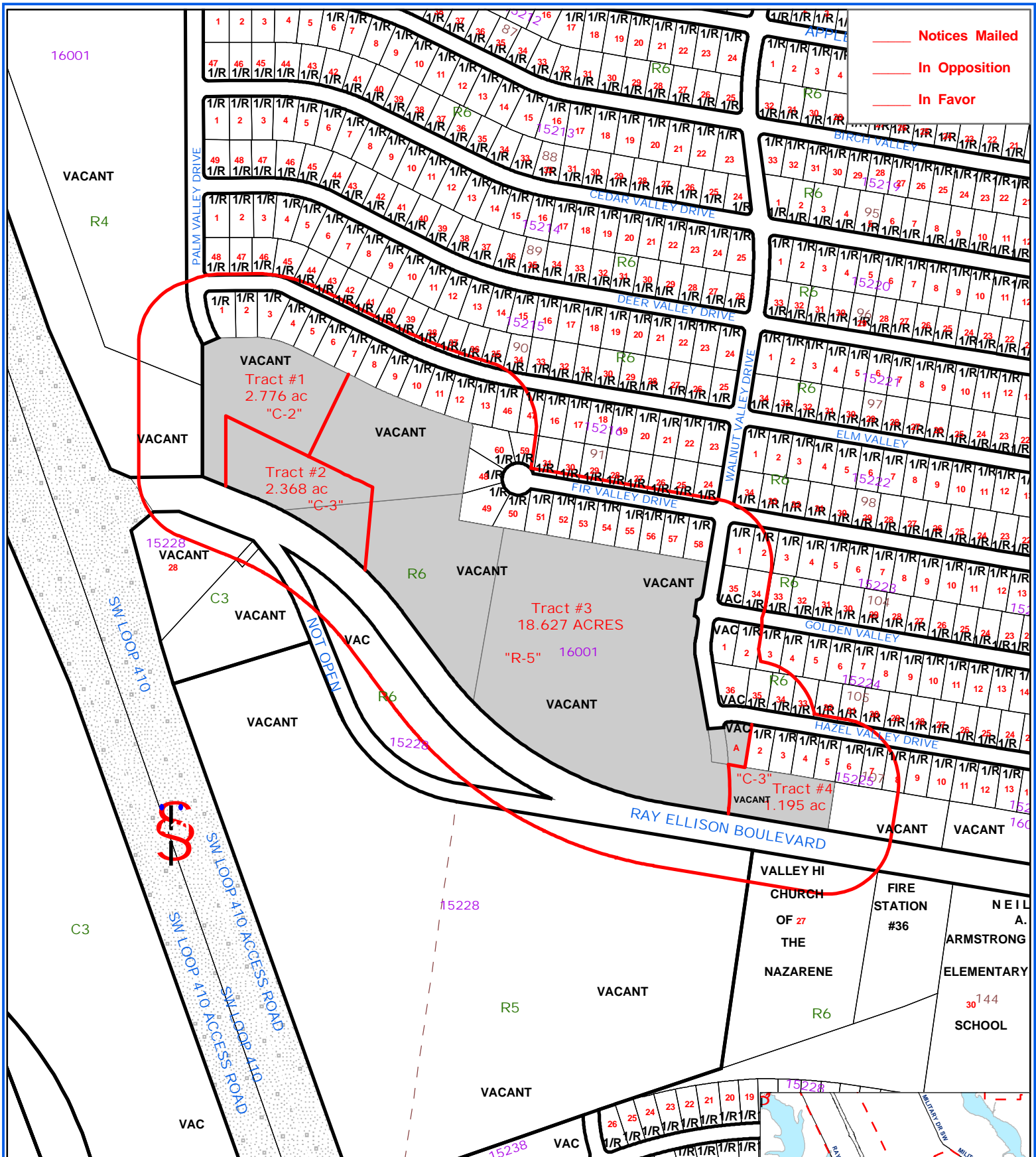
Inconsistent

The request does not conform to the land use plan of the United Southwest Communities Plan. The land-use component of the plan calls for low density residential at this location. A Plan Amendment would be required in order to establish the "C-2" Commercial District and "C-3" General Commercial District.

Denial as requested.

Inconsistent with the United Southwest Communities Plan. The subject property is undeveloped and located on Ray Ellison Boulevard a major thoroughfare. The subject property is adjacent to "R-6" Residential Single-Family District to the north and east (single-family dwellings) with "C-3" General Commercial District across Ray Ellison Boulevard at SW Loop 410 (vacant). Staff recommends approval of "R-5" Residential Single Family District on 18.627 acres out of NCB 16001, which is consistent the United Southwest Communities Plan.

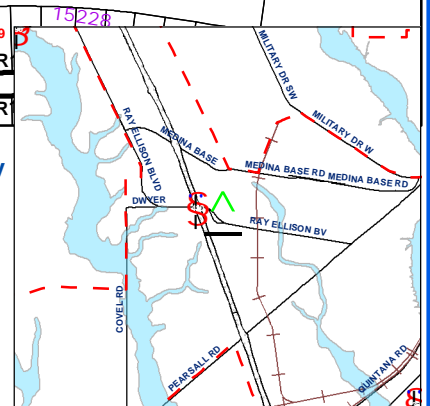
CASE MANAGER : Pedro Vega 207-7980



ZONING CASE: **Z2005-276**

City Council District No. 4
 Requested Zoning Change
 From "R-6" To "R-5","C-2" and "C-3"
 Date: December 6, 2005
 Scale: 1" = 400'

- Subject Property
- 200' Notification



CASE NO: Z2005277 CD

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 8

Ferguson Map: 548 C6

Applicant Name:

Roy Horn, III

Owner Name:

Harvey H and Kathryn Hancock

Zoning Request: From "R-6" Residential Single-Family District to "R-6" (CD- Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices.

Property Location: Lot 14, Block 1, NCB 14701

5979 Babcock Road

Northeast side of Babcock Road between Huebner Road and Hollyhock Road

Proposal: Professional office building

Neigh. Assoc. Oakland Estates Neighborhood Association, Alamo Farmsteads/Babcock Road Neighborhood Association (Within 200 feet) and Pembroke Farms Home Owners Association (Within 200 feet)

Neigh. Plan Oakland Estates Community Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Consistent.

The Oakland Estates Neighborhood Plan identifies this site as Residential. The R-6 CD is consistent with the residential land use designation and repeats what was done on the property immediately to the south that was zoned R-6 CD through Case Z2005046. Because of this existing condition, the relatively larger lot size (1.911 acre) and the mixed commercial and residential zoning pattern of the area, the R-6 CD is appropriate at this particular location with conditions.

Approval

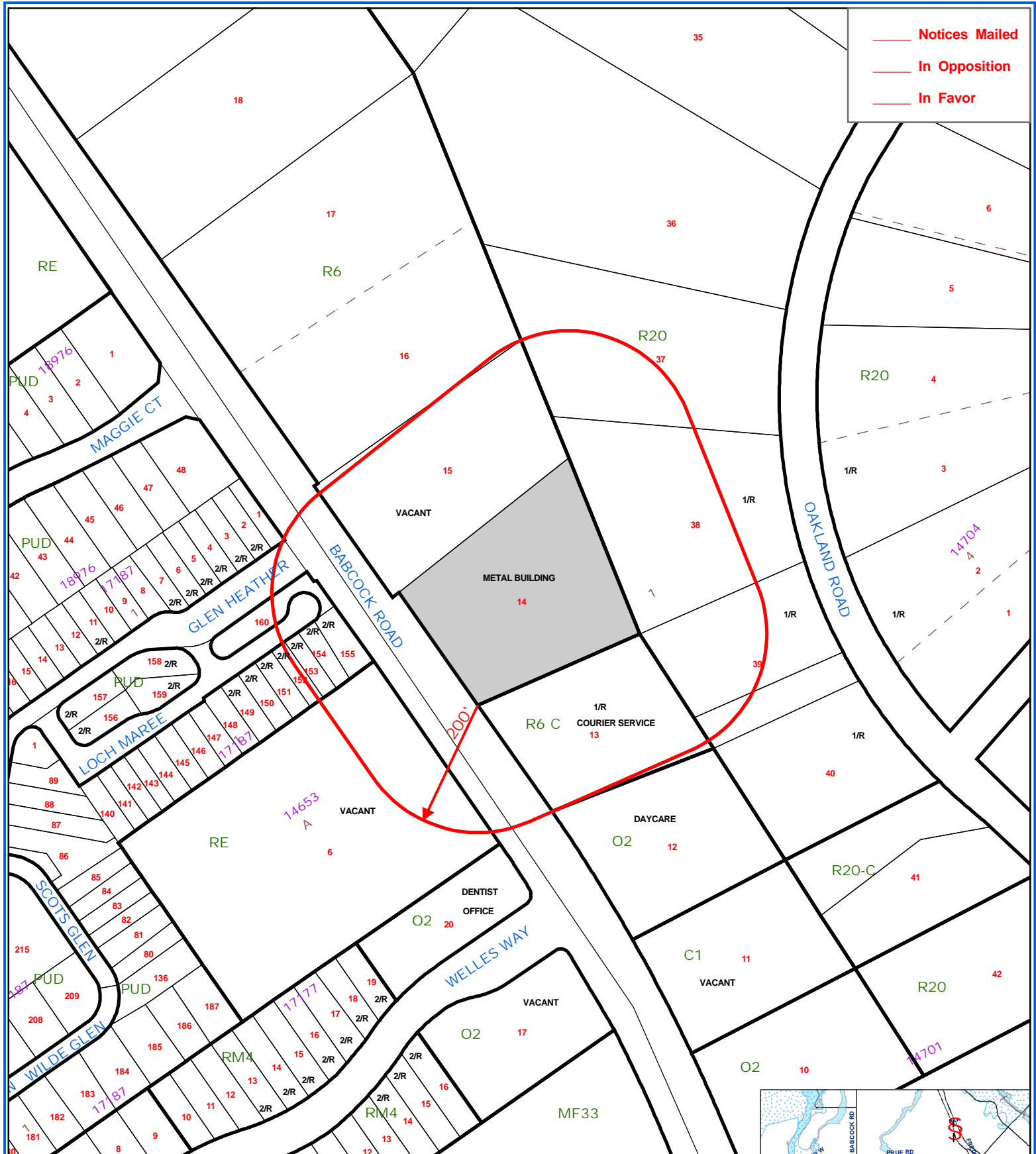
The subject property has an existing metal building and is located on Babcock Road, a major thoroughfare. The subject property is adjacent to "R-6" Residential Single-Family District to the northwest, "R-20" Residential Single-Family District to the northeast and "R-6" CD Residential Single-Family District to the southeast. The "R-6" CD Residential Single-Family District with a Conditional Use for a Professional Office is consistent and in character with the development pattern along Babcock Road. No change is proposed to the base zoning of "R-6" Residential Single-Family District. The "R-6" (CD- Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices is appropriate at this particular location.

Required Buffer Yards

A proposed development zoned "O-1" Office District which adjoins an "R-20" Residential Single-Family District requires a Type "D" landscape buffer (25 feet). It is recommended that "O-1" uses permitted by Conditional Use adhere to "O-1" landscape buffers.

The following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council: 1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. 3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

CASE MANAGER : Pedro Vega 207-7980

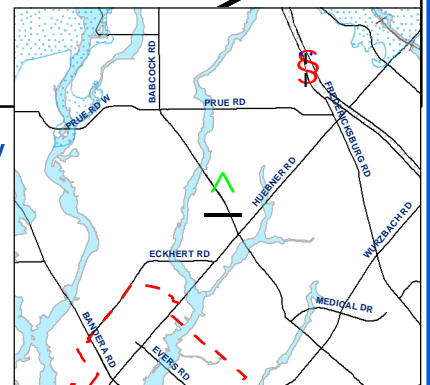


ZONING CASE: Z2005-277 CD

City Council District No. 8
Requested Zoning Change
From "R-6" To "R-6"CD
Date: December 6, 2005
Scale: 1" = 200'

 **Subject Property**
 **200' Notification**


 Nov_1_2005



CASE NO: Z2005278

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 1

Ferguson Map: 582 B4

Applicant Name:

Marissa Castro

Owner Name:

Juan Castro

Zoning Request: From "R-4" Residential Single-Family District to "O-2" Office District.

Property Location: Lot 22, Block 3, NCB 9667

2239 Basse Road

Proposal: To operate a beauty salon

Neigh. Assoc. Northwest Los Angeles Heights Neighborhood Association is within 200 feet

Neigh. Plan Greater Dellview Area Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent

The request is inconsistent with the Greater Dellview Area Community Plan. The Plan identifies this and surrounding properties for Low Density Residential uses only.

Denial

The Plan identifies the land use of this property as Low Density Residential and the existing base zoning of "R-4" is consistent with the designation identified in the Plan. A rezone to "O-2" or any other office or commercial district would be inconsistent with the Plan and incompatible with the surrounding uses. Additionally, the property is not large enough to comply with the development standards required in the "O-2" district. Lastly, the expansion of the beauty shop made possible by a rezone would eliminate the incidental nature of the use as approved by the Board of Adjustment in the granting of a Special Exception. The Special Exception allowing the beauty shop, with restrictions, was approved by the Board is set to expire in May of 2006.

The applicants were granted a Special Exception from the Board of Adjustment to allow a one operator beauty salon on May 16, 2005. The exception was approved for one year and included conditions that regulate hours and days of operation and additional provisions identified in Section 35-375 of the Unified Development Code (UDC) were supplied to the applicants. In August of 2005, the applicants were informed that their Certificate of Occupancy was subject to suspension due to numerous complaints that the use was not in compliance with the restrictions imposed by the Board. The applicants are seeking a rezone of the property to eliminate the restrictions imposed by the Board and allow an expansion of the use.

Beauty and barber shops are prohibited as home occupations in residential districts. However, Section 35-380(b)(2) of the UDC authorizes the use with the approval of a Specific Use Permit. The applicants were advised to amend their application to an "R-4 S." This would require a site plan and provide staff with an opportunity to review the existing site layout as well as any proposed changes in site development.

CASE MANAGER : Matthew Taylor 207-5876

REDROCK DR

REDROCK DR

—— Notices Mailed
 —— In Opposition
 —— In Favor

R4

R4

10023

R4

R4

R4

CLIFFWOOD DR

R4

R4

9668

9668

R4

R4

HARWOOD DR

R4

R4

9667

9666

BASSE

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9663

C2

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O2

CHURCH

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CASE NO: Z2005279

Final Staff Recommendation - Zoning Commission

Date: December 06, 2005

Council District: 5

Ferguson Map: 616 D7

Applicant Name:

Owner Name:

Billy A. Lawrence/Magnificent So Flo Seven Ltd.

Billy A. Lawrence/Magnificent So Flo Seven Ltd.

Zoning Request: From "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-33" Multi-Family District.

Property Location: South 116 feet of Lot A1 and A2, NCB 2569

1512 South Flores Street

South of the intersection of South Flores Street and East Cevallos

Proposal: For a mixed use development

Neigh. Assoc. Lone Star Neighborhood Association

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required for the "IDZ" Infill Development Zone Districts.

Staff Recommendation:

Consistent

The land use is consistent with the plan. If the site receives historic designation, future development proposals of the site should consider specific urban design standards called for in the South Central San Antonio Community Plan. The plan recommends that properties on Cevallos and Clay Streets have a 10 foot maximum front setback, parking be allowed only in the rear of the lot and behind the building, and not ingress or egress allowed on Clay Street to prevent traffic in a residential area.

Approval

There is a vacant building located on the subject property. The property fronts on both East Cevallos and South Flores Street.

The property was previously zoned "L" First Manufacturing District and "J" Commercial District. These districts were converted to "I-2" Heavy Industrial District and "I-1" General Industrial District with the adoption of the 2001 Unified Development Code (UDC).

The applicant has applied for "IDZ" Infill Development Zone District in order to create a mixed-use development. This zoning district would allow for uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-33" Multi-Family District. "IDZ" districts are intended to provide a more flexible approach to the development of infill projects. The current code requirements could make the redevelopment of this structure difficult due to the nature of the existing property. The "IDZ" district would not require the development to adhere to several standards such as setback requirements, parking, parks and open space, or buffer requirements. The Master Plan encourages the development of mixed-use communities as well as infill development in Downtown San Antonio.

CASE MANAGER : Robin Stover 207-7945

